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OFFICIAL JOURNAL OF THE PROCEEDINGS OF THE SENATE

SECOND SESSION OF THE SECOND GENERAL ASSEMBLY OF THE STATE OF LOUISIANA.

Eighteenth Day's Session.

SENATE CHAMBER, Saturday, January 20, 1872.

The Senate met pursuant to adjournment.

Present—Hon. P. B. S. Pinchback, Lieutenant Governor and President of the Senate, and Messrs. Anderson, Antoine, Barber, Blackman, Bowman, Butler, Campbell, Coupland, Daigle, Gallup, Harris, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Lynch, McMillen, Noland, O'Hara, Ragan, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—33.

Prayer by the Chaplain.

Reading of the minutes of the previous day's session was dispensed with.

No corrections.

Mr. Harris submitted the following resolution:

Resolved, That the action of the Senate in extra session convened on the sixth day of December, 1871, in the election of Hon. P. B. S. Pinchback, President of the Senate, is hereby ratified and confirmed.

And moved its adoption, and called the previous question on such motion.

Mr. Blackman raised the point of order that the Senate being without other rules than general parliamentary usage, the previous question cannot be entertained.

The President referred this point of order to the Senate for decision.

Mr. Campbell moved that the previous question be called, which, on a call of the yeas and nays, the Senate refused by the following vote:

Yeas—Barber, Butler, Campbell, Gallup, Harris, Hunsaker, Jenks, Kelso, Lynch, McMillen, Noland, Pinchback, Ragan, Swords, Twitchell, Whitney—16.

Nays—Anderson, Antoine, Blackman, Bowman, Coupland, Daigle, Herwig, Ingraham, Lewis, O'Hara, Ray, Smith, Sypher, Thomas, Thompson, Todd, Wilcox—17.

Mr. Blackman submitted the following resolution as a substitute for the resolution submitted by Mr. Harris, and moved its adoption:

To the Honorable Members of the Senate of the State of Louisiana:

GENTLEMEN—We, the undersigned Senators, represent that the election of Senator Pinchback as President of the Senate and ex officio Lieutenant Governor, was illegal and unconstitutional, as the extra session of the Senate was in violation of the plain and express words of the constitution and the law on the subject matter of convening in extraordinary session the General Assembly. We therefore move that the Senate do now proceed to the election of a President of the Senate, to fill the vacancy occasioned by the death of Lieutenant Governor Oscar J. Dunn.

W. F. Blackman,	John Ray,
Mortimer F. Smith,	A. J. Sypher,
P. O'Hara,	James H. Ingraham,
P. F. Herwig,	William L. Thompson,
T. V. Coupland,	F. Daigle,
C. C. Antoine,	S. S. Bowman,
J. B. Lewis,	S. M. Thomas,
C. Wilcox.	

Pending discussion of the substitute, the Senate went into secret session.

The Senate having risen from secret session the rule of the Senate of last session relative to the admission of persons to the floor of the Senate, was, on motion of Mr. McMillen, unanimously adopted.

Mr. Anderson moved to strike out the preamble of the substitute submitted by Mr. Blackman, which was adopted, on a call of the yeas and nays, by the following vote:

Yeas—Anderson, Barber, Butler, Campbell, Gallup, Harris, Hunsaker, Jenks, Kelso, Lynch, McMillen, Noland, Pinchback, Ragan, Swords, Twitchell, Whitney—17.

Nays—Antoine, Blackman, Bowman, Coupland, Daigle, Herwig, Ingraham, Lewis, O'Hara, Ray, Smith, Sypher, Thomas, Thompson, Todd, Wilcox—16.

Mr. Anderson offered the following resolution, as a substitute for the resolutions previously submitted by Messrs. Harris and Blackman.

Resolved, That the Senate do now proceed to the election of a President of the Senate.

Which on a call of the yeas and nays, was rejected by the following vote:

Yeas—Anderson, Antoine, Blackman, Bowman, Coupland, Daigle, Herwig, Ingraham, O'Hara, Ray, Smith, Sypher, Thomas, Thompson, Todd, Wilcox—16.

Nays—Barber, Butler, Campbell, Gallup, Harris, Hunsaker, Jenks, Kelso, Lewis, Lynch, McMillen, Noland, Pinchback, Ragan, Swords, Twitchell, Whitney—17.

Mr. Harris withdrew the resolution offered by himself.

Mr. Wilcox raised the point of order, that the question recurred upon the substitute of Mr. Blackman, as amended.

The President decided the point of order not well taken, as the subject matter of the substitute offered by Mr. Blackman, as amended, was the same as that of the substitute offered by Mr. Anderson, which the Senate had rejected.

Mr. O'Hara moved to adjourn, which the Senate refused by the following vote:

Yeas—Bowman, Coupland, Ingraham, Lewis, O'Hara, Ray, Smith—7.

Nays—Anderson, Antoine, Barber, Blackman, Butler, Campbell, Daigle, Gallup, Harris, Herwig, Hunsaker, Jenks, Kelso, Lynch, McMillen, Noland, Ragan, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—25.

Mr. Blackman raised the point of order, that the substitute submitted by Mr. Anderson having been rejected, and the substitute offered by himself differing from the substitute rejected, both in language and matter, the question now recurred on the substitute offered by himself, as amended.

The President expressed the opinion that the subject matter of both resolutions was the same, but announced that he was willing to refer the matter to the Senate for decision.

Mr. McMillen moved to amend the substitute by striking out the words "to fill the vacancy occasioned by the death of Lieutenant Governor Oscar J. Dunn," which was adopted by the following vote, on call of the yeas and nays:

Yeas—Anderson, Barber, Butler, Campbell, Gallup, Harris, Hunsaker, Jenks, Kelso, Lynch, McMillen, Noland, Pinchback, Ragan, Swords, Twitchell, Whitney—17.

Nays—Antoine, Blackman, Bowman, Coupland, Daigle, Herwig, Ingraham, Lewis, O'Hara, Ray, Smith, Sypher, Thomas, Thompson, Todd, Wilcox—16.

Mr. Campbell raised the point of order that the Senate having recognized the constitutionality of the session of December 6 1871, by striking out the preamble of Senator Blackman's resolution, and having refused to recognize a vacancy in the chair, by striking out that part of the resolution declaring that there was a vacancy occasioned by the death of Lieutenant Governor Oscar J. Dunn, the resolution to elect a President of the Senate was clearly out of order.

The President again declined to decide, and referred the matter to the Senate for decision.

Mr. Hunsaker moved to table the substitute as amended.

On a call of the yeas and nays the Senate refused to table the substitute by the following vote:

Yeas—Barber, Butler, Campbell, Gallup, Harris, Hunsaker, Jenks, Kelso, Lynch, McMillen, Noland, Pinchback, Ragan, Swords, Twitchell, Whitney—16.

Nays—Anderson, Antoine, Blackman, Bowman, Coupland, Daigle, Herwig, Ingraham, Lewis, O'Hara, Ray, Smith, Sypher, Thomas, Thompson, Todd, Wilcox—17.

Mr. Hunsaker offered the following resolution as a substitute for the substitute offered by Mr. Blackman:

Resolved, That we hereby declare the extra session of the Senate of December 6, 1871, constitutional and valid.

Which, on a call of the yeas and nays, was adopted by the following vote:

Yeas—Anderson, Barber, Butler, Campbell, Gallup, Harris, Hunsaker, Jenks, Kelso, Lynch, McMillen, Noland, Pinchback, Ragan, Swords, Twitchell, Whitney—17.

Nays—Antoine, Blackman, Bowman, Coupland, Daigle, Herwig, Ingraham, Lewis, O'Hara, Ray, Smith, Sypher, Thomas, Thompson, Todd, Wilcox—16.

Mr. Gallup moved to reconsider the vote just taken.

Mr. Hunsaker moved to lay the motion to reconsider on the table.

Carried.

Mr. O'Hara moved to adjourn, which, on a call of the yeas and nays, the Senate refused by the following vote:

Yeas—Antoine, Blackman, Bowman, Coupland, Daigle, Herwig, Ingraham, Ray, Smith, Sypher, Thomas, Thompson, Wilcox—13.

Nays—Anderson, Barber, Butler, Campbell, Gallup, Harris, Hunsaker, Jenks, Kelso, Lewis, Lynch, McMillen, Noland, O'Hara, Ragan, Swords, Todd, Twitchell, Whitney—19.

INTRODUCTION OF BILLS.

The following bills were introduced:

By Mr. Hunsaker:

A bill to be entitled an act to appropriate the sum of $150,000 to pay mileage and per diem and contingent expenses of the General Assembly of the State of Louisiana for the year 1872.

Passed its first reading.

By Mr. Ray:

A substitute for the above bill, to be entitled an act defining the distances from the domicile of members of the General Assembly to the State House, fixing the mode of ascertaining the per diem of members of the General Assembly for the time engaged in going to and returning from the State House, and the mileage to be paid, and the number of employes of the General Assembly and their compensation, and defining their duties, and making an appropriation to defray the expenses of the General Assembly.

Passed its first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill put on its second reading and referred to a special committee of three, of which Mr. Ray shall be chairman.

Adopted.

The President appointed such committee, as follows: Messrs. Ray, Harris and Barber.

Mr. Campbell submitted the following resolution:

Resolved, That the rules of the preceding session be in force until otherwise ordered by the Senate, except that part thereof relating to the standing committees; and that a committee of three be appointed by the President to report rules for the government of the Senate.

Adopted.

The President appointed such committee as follows: Messrs. Campbell, Hunsaker and Anderson.

The following resolutions were introduced, which lie over under the rules:

By Mr. Ingraham:

Resolved, That J. Pinckney Smith, Warrant Clerk of the Senate, be and is hereby ordered to furnish immediately to the Senate a detailed statement of the exact amount of money paid to each and every member of the Senate as per diem, mileage, contingent or printing expenses, or to any other person or parties, not members of the Senate.

By Mr. Hunsaker:

Resolved, That a committee of three be appointed to inform the Governor and the House that the Senate is organized and ready to proceed to business.

By Mr. Blackman:

Resolved, That a committee of three be appointed by the President to inform the Governor officially of the death of Senators Fish and Pierce, and request him to immediately order an election to fill the vacancies thereby occasioned.

Also:

Resolved, That the Senate demand of the Governor the removal of all the troops and Metropolitan Police guarding the approaches to the State Capitol, so that there may be free egress and ingress of all citizens of the State to witness the proceedings of the General Assembly.

By Mr. Gallup:

Resolved, That the office of Warrant Clerk of the Senate is hereby declared vacant.

Also:

WHEREAS, It is currently reported that there is a large amount of outstanding vouchers from the last regular session of the Senate, which were fraudulently issued, or were issued upon fraudulent representations, thereby causing great loss to the State, and also to innocent holders; therefore be it

Resolved, That a committee of three be appointed by the Chair to examine and, if found to be correct, indorse across the face of the voucher the signature of the chairman of the committee.

By Mr. Hunsaker:

Resolved, That the presiding officers of the respective houses appoint a committee of three Senators and five members of the House, whose duty it shall be to ascertain the amount of the State debt, and to classify the same, reporting by bill the true meaning and intent of article ——— of the constitution.

Mr. Harris moved that the Senate adjourn until Monday at 12 M.

Adopted.

The President then announced that the Senate stood adjourned until Monday, the twenty-second instant, at 12 M.

CHARLES H. MERRITT,
Secretary of the Senate.

OFFICIAL JOURNAL OF THE HOUSE OF REPRESENTATIVES

SECOND SESSION OF THE SECOND GENERAL ASSEMBLY OF THE STATE OF LOUISIANA.

Nineteenth Day's Proceedings.

HOUSE OF REPRESENTATIVES, Monday, January 22, 1872.

The House met at twelve o'clock pursuant to adjournment.

Speaker Brewster in the chair.

The roll was called and the following members answered to their names:

Speaker Brewster, and Messrs. Abel, Barrett, Barrow, Belot, Bentley, Bickham, Blunt, Bowen, Brown, Buckingham, Butler, Carr, Cochrane, Crawford, Darinsburg, Davidson, Davis, Demas, Dewees, Deslonde, Faulkner, Fontelieu, Gardner, Garstkamp, P. Harper, Hempstead, Huston, La Saliniere, Laurent, Mahoney, Marie, Marvin, Matthews, McCarty, McFarland, Morphy, Morris, Murray, Ong, Oplatek, Overton, Quinn, Raby, Riley, Ringgold, Sartain, Smith, Souer, Stamps, Stanton, Tounoir, Verrett, Washington (Assumption), Washington (Concordia), Worrall, Yorke, Young—58.

Quorum present.

Prayer by the Chaplain.

Mr. Davidson, of Livingston, moved to dispense with the reading of the minutes and to adopt the journal.

Carried.

Upon motion of Mr. Davidson, of Livingston, the vote expelling certain members for refusing to attend the meetings of the House was reconsidered as far as it concerned Messrs. Butler, of Bienville, and Tatman, of St. Landry, and they were allowed to take their seats and answer to their names.

The Speaker announced the appointment of the following committee, with instructions:

Committee on Contingent Expenses—J. L. Souer, S. Marvin, P. G. Deslonde, J. W. Quinn, Peter Harper, J. J. Barrow, E. Bentley.

The Committee on Contingent Expenses is hereby instructed to compile a statement in detail of all expenditures of the House up to date, and hereafter to prepare a weekly statement, in full, of all contingent expenses, to be printed and placed on the desks of the members on each Monday morning during the session, together with such suggestions and recommendations in regard to retrenchment as they may deem necessary. O. H. BREWSTER,
Speaker of the House of Representatives.

By unanimous consent permission was granted to the chairman of the Committee on Judiciary, to rent suitable rooms for the meetings of said committee.

Upon motion of Mr. Brown, of Ascension, the following resolution and amendment, lying on the table subject to a call, was taken up and made the order of the day for Wednesday, at one o'clock P. M.

Resolved, That the Speaker of the House of Representatives appoint a special committee, to consist of five members, to whom shall be referred all outstanding un audited warrants and vouchers of the last session; that the said committee be required to examine the same and make a correct registry of them and report the same to the House as soon as possible; that the Warrant Clerk be and is hereby directed to pay none of the outstanding warrants or vouchers of the last session, until the whole list of genuine warrants and vouchers be reported to the House for its action; and it shall be the duty of the committee to instruct the chairman of said committee to indorse across the face of each voucher or warrant decided to be genuine by the committee, his signature, showing that they are genuine; and it shall be the duty of the committee to frame a deficiency bill, covering the aggregate amount of said warrants and vouchers, and designate how they shall be paid, and submit it to the House for its action as soon as the registry is complete.

Amendment:

Provided, That no member of the House shall serve as a member of a committee under this resolution who was a member of any committee sitting during the recess under resolutions alleged to have passed at the last night's session, previous to the adjournment of 1871.

Mr. Faulkner, of Caldwell, offered the following resolution, and moved its adoption:

Resolved, That the members of the House of Representatives retain the seats they now occupy the remainder of the present session, and that the Sergeant-at-Arms be instructed to place the names of the members on their desks immediately.

Mr. Matthews, of Tensas, offered the following substitute:

That we proceed to draw for seats in the usual manner.

Upon motion of Mr. Faulkner, of Caldwell, the substitute was laid on the table.

Mr. Hempstead, of Iberville, moved to adopt the resolution offered by Mr. Faulkner, of Caldwell, and on that motion called the previous question.

The main question was ordered and the resolution adopted.

Mr. Dewees, of Soto, moved to reconsider the vote by which the resolution was adopted, and also moved to lay the motion to reconsider on the table.

Carried.

Mr. Quinn, of Orleans, moved to adjourn until 12 M. to-morrow.

Lost.

Upon motion of Mr. Carr, of De Soto, the vete messages of the Governor were made the special order of the day for Thursday, and ordered to be printed.

MEMORIALS AND PETITIONS.

Mr. Demas, of St. John the Baptist, offered the following memorial, which was referred to the Committee on Elections and Qualifications:

Memorial of Benjamin Buchanan to the House of Representatives of the State of Louisiana.

NOTICES OF BILLS.

Notice was given that the following entitled bills would be introduced at some future time:

By Mr. Carr, of De Soto:

A bill entitled an act relative to pawnbroking, and to regulate and control the same throughout the State.

By Mr. Yorke, of Carroll:

A bill entitled an act for the relief of J. B. N. Browder, of Carroll.

By Mr. Blunt, of Natchitoches:

A bill entitled an act to establish a steam ferry at Grand Ecore, Red river.

By Mr. Brown, of Ascension:

A deficiency bill to pay the genuine unaudited outstanding warrants and vouchers of the session of 1871.

INTRODUCTION OF BILLS.

Mr. Faulkner, of Caldwell, having given previous notice, introduced House bill No. 304, an act entitled an act to annex the northern part of Catahoula parish to the parish of Caldwell, which was read.

Under a suspension of the constitutional rule, the bill was read the second time by title, and referred to the Committee on Parochial Affairs.

According to previous notice, Mr. La Saliniere, of St. Martin, introduced House bill No. 305, an act relative to criminal proceedings in the State of Louisiana, which was read.

Under a suspension of the constitutional rule, the bill was read the second time and referred to the Committee on Judiciary.

Mr. Marvin, of Catahoula, according to previous notice, introduced House bill No. 306, an act entitled an act to amend sections 3373 and 3374 of the Revised Statutes of 1870, which was read.

Under a suspension of the constitutional rule the bill underwent its second reading, and was referred to the Committee on Judiciary.

Mr. Huston, of East Feliciana, according to previous notice, introduced House bill No. 307, an act to create the parish of Magnolia, and providing for the organization thereof, which was read.

Under a suspension of the constitutional rule, the bill was read a second time and referred to the Committee on Parocial Affairs.

According to previous notice, Mr. La Saliniere, of St. Martin, introduced House bill No. 308, an act providing a uniform and fixed salary for parish judges, which was read.

The constitutional rule being suspended, the bill was read the second time and referred to the Committee on Judiciary.

Mr. Gartskamp, of Jefferson, having given previous notice, introduced House bill No. 309, an act to incorporate the Comique Varietie Association of New Orleans, which was read.

BILLS ON SECOND READING.

Mr. Dewes, of De Soto, called up House bill No. 284, an act authorizing the police jury of the parish of Red river to issue bonds for certain purposes.

Under a suspension of the constitutional rule the bill underwent its second reading, and was referred to the Committee on Judiciary.

Mr. Hempstead, of Iberville, introduced the following resolution, which lies over under the rules:

Resolved, That a committee of three be appointed by the Speaker to investigate the affairs of the Metropolitan Police and the administration thereof, and report to the House, by bill or otherwise, the result of their investigations.

By unanimous consent of the House, Mr. Demas, of St. John the Baptist, introduced the following resolution, which lies over under the rules:

WHEREAS, At the last term of the district court in and for the parish of St. John, comprising a part of the Fourth Judicial District of the State of Louisiana, it is alleged that John H. Cheeveis, district attorney for the said judicial district, did corrupt his official position by receiving bribes and by otherwise violating the trust reposed in him by the people, all against the dignity of the State; therefore, be it

Resolved, That the Speaker be authorized to appoint a special committee of five members to investigate the alleged charges against the said John H. Cheevers, district attorney for the said Fourth Judicial District, and report at the earliest practicable moment to this House what action, if any, is necessary, and that they be authorized to take testimony and send for persons and papers, and employ a clerk.

Upon motion of Mr. Barrett, of Orleans the House then adjourned until twelve o'clock M., to-morrow.

WILLIAM VIGERS,
Chief Clerk.

DEBATES IN THE HOUSE.

FRIDAY, January 19, 1872.

After the usual routine of business, Mr. Worrall rose to a privileged question, and said:

Mr. Speaker, I have been accused of something which I regard as a joke; but as the assertion seems to be serious, I think it due to myself and the members present to explain my positiou. I have been charged with making overtures to the other side. The charge does not seem to be made in jest, but as decidedly serious, and now I desire to correct it before this House. I mean to explain before you, as a member of this House, these charges, and show you the utter falsity of the assertions. I do this that I may stand before the people of this city and State in a justifiable manner. I think, sir, that the members of this House will bear testimony to a vote that I have been unwilling from the commencement of this session to take part in any revolutionary proceedings of either side. I have opposed measures that would have had the slightest effect to produce revolutionary proceedings. Now I intend to satisfy the members of this, the only legal House of Representatives of the State of Louisiana, the truth of this question which has been raised.

My course has been mainly to inaugurate reform and an endeavor to bring back those who have separated from our body, and to fight against the revolutionary proceedings that have so characterized this sesssion. And, sir, I am proud of the position I have occupied in this House during the present session.

You know, gentlemen, that I have always fought the resolution that would expel the erring members without a hearing, and you know I have always been in favor of the members coming back and proceeding in the discharge of the duties for which they were sent here by the people of their parishes. Now, sir, I have been charged with making overtures to these revolutionary members, and I want to prove to you how false these accusations are.

I do not deny that I have conversed with several of these gentlemen, and appealed to them to come back to their seats as members of the House of Representatives should do, and for them not to forget their dignity as Representatives. This is the third week of the session, and the best part of the time has been spent in making appeals to these members to come back, and as there does not seem to be any likelihood of their coming back in a peaceable manner, I voted for their expulsion this morning.

Now, sir, I heard that if these men could not carry out their intention of taking this House, the knife of the assassin would be sent to do it. The remark was made to me, and I can name the place, time, and the person who made it, if necessary; and when men entertain such measures as these, it is time this House should stand upon its dignity, and refuse to allow those to enter who rely upon the knife of the assassin to accomplish their ends.

Mr. Murray—Who was it?

Mr. Worrall—I will tell when it is necessary. I simply state what was told to me by a party who has been with the other side. It was on the veranda of the St. Charles Hotel that the remark was made; and, sir, I believe that if this thing is not settled soon it will ruin New Orleans. It has had its effect upon commerce, bonds and State securities. The innocent citizens of this city will suffer; riot and bloodshed will take place if we do not check this thing. This is the position that I took upon this floor some time ago. I am a law-abiding citizen, and I come here to obey the laws as well as make them. I have opposed these revolutionary measures all through the session, and no man will charge me with being a coward. I propose to be a law-abiding citizen, and, as a representative of a people, I should raise my voice. I intend to stick by the party that inaugurates reform. Reform has controlled my actions, and it should control the action of every good representative. I intend to stand by such a party. The government has taken that standpoint, and I shall stand by it. This is my position. I stand by the party that inaugurates retrenchment and reform, no matter which party inaugurates these measures; but I can not stick to a party whose only desire seems to be riot, revolution and bloodshed. I hope, sir, that all the members will stick together and endeavor to carry out these great measures of retrenchment and reform. I am with the majority, and I propose to stick to them; and I believe that in a few days victory will be ours.

Now, Mr. Speaker, I have voted to expel these members, yet I think there is a chance for them to come back, and I will vote for their return with more alacrity than I did their expulsion. If they come back I will recognize them as members of the legal House of Representatives. If they want to come back a resolution can be offered, and I will cheerfully vote for them to return and take their seats as representatives of a people who expect them to represent them. But, sir, I do not intend to ask them to come back. We have spent much time in so doing, and I intend to let them stay away if they will not return without asking.

Now, Mr. Speaker, you see how false the accusation is against me. I want it distinctly understood that I do not recognize any legal House of Representatives but this; and, sir, I propose, if necessary, to die with you here before I will leave this House and go to any other. I have much to encourage me. The honest, law-abiding people of the State say we are right. They say that we are discharging our duty as representatives of the people, and with that assurance I feel justified in sticking to this party, who, it seems, desire peace and order in preference to riot and bloodshed. Let us remain steadfast to the banner that we have raised, and in a short time these difficulties will disappear; both these bodies will unite.

Milton Morris, of Ascension—I rise to a privileged question. I see in this morning's *National Republican*, in the proceedings of the Carter House, my name is used. It says that I "would be with them." Now, sir, I want to explain why I went to the Carter House. I met Mr. Adolph Tureaud as I was passing the door, and he invited me up to take a drink. I walked up stairs with him and then told him that I did not drink. The clerk at this time was calling the roll and he announced that Milton Morris was present. They then asked me why I had not been there before. I told them that this was not the legal House of Representatives, that this was not the State House, and that I did not meet at any place but the State House.

Now, Mr. Speaker, this is the reason why I went to the Carter House. I want it distinctly understood that I am a free man, and I do not allow any one to arrest me. I am serious in this matter, and if they attempt to arrest me I might get mad, and shoot. I do not come here to quarrel and wrangle over factions. I came here to represent my people, and to work for their interest. I am not a Carter man, nor a Warmoth man, but a free man, and as such I intend to hold my seat in this the legal House of Representatives of the State of Louisiana.

While in the Carter House Mr. Lott came to me and asked me why I did not come to the State House. I told him that I did; I went there every day. He said I don't mean that bogus and illegal House, but this, the legal House of Representatives. I told him that I did not recognize any House but the one that meets in the State House. I then asked him where was the State House of this State. He said New Orleans. I told him that if all New Orleans was the State House, I pity the people that have to pay rent for it.

They talk about "Mr. Carter's Legislature." I do not know where it is. If they call that place, the Cosmopolitan club room, the Legislature of this State I do do not want to have anything to do with it; and, furthermore, Mr. Speaker, when we have whisky in our State House we have come to a bad state of affairs. I am in favor of the consolidation of these two bodies. Let us come together, for if we do not we can not carry out these great measures of reform. I propose to cast my vote for their return if they wish to come, but I want them to understand that I am a free man and will not allow any one to arrest me. I have noticed all through this session a desire for reform; a desire for peace, not revolution, and I want the people to know that is my own intention.

Now, sir, I intend to come here whenever I want to. No one can prevent me from coming to this House. I propose to help the government of this State as long as it inaugurates the measures of reform already commenced, but I do not propose to stand by any one man; nor do I propose, Mr. Speaker, the State shall go to hell for one man or two men. Now, sir, I did not rise to make a speech. I very seldom speak, but when I do I mean something. I deny that I made a speech at this Carter House; I did nothing but what I said in the first part of my speech. I am here, Mr. Speaker, to represent my constituents, and I intend to do it in this hall, for I do not recognize any legal House but this.

Mr. Cain Sartain—Mr. Speaker, I rise to a privileged question. I see in this morning's *National Republican* a notice which says that I and Milton Morris answered to our names at the roll-call at the Carter House. Now, I want this House to understand that I did not answer to my name. The Clerk asked me if I would have my name enrolled on the books of that House. I told him no; that I do not consider it my duty to meet at the Carter House. I never told him that I considered this House to be the only legal House of Representatives in this State.

I wish to explain why I introduced the resolution relative to the "removal of the police force." I went to the Carter House, and while conversing with Speaker Carter and several other members I asked the Speaker why they did not come over. He said that it was because the place was blockaded by Metropolitan policemen. I told him that if he would promise that there would be no riot I would introduce a resolution relative to the removal of the police. He said that he would guarantee that there would be no disturbance or intimidation on the part of his House, and then I told him that I would introduce the resolution that I did. I have now shown the reason *why* I went there, and I assure you, on my honor as a gentleman, that it was for no other purpose.

I also see that the NEW ORLEANS REPUBLICAN goes for me, and accuses me of going over to the other side. I have by my actions shown my allegiance to the legal House, and therefore I think the charge unjust. I will at all hazards support the Governor as long as he carries out measures of reform and retrenchment. This I say in vindication of my accusation.

The House then adjourned.

MONDAY, January 22, 1871.

After the Clerk had called the roll, the Speaker said:

Gentlemen, I have something that I wish to say in reference to the number constituting a quorum. I have examined the authority on the subject, and I decide that it takes fifty four members to constitute a quorum of this House.

Mr. Hempstead—I appeal from the decison of the Chair.

Mr. Worrall—I hope the gentleman will withdraw his appeal. What will it prove? What will your appeal prove? I have contended from the beginning of the session that it takes fifty-four members to constitute a quorum; therefore, I think the decison of the Chair a correct and justifiable one. I do not see what the appeal can prove. We may just as well take an appeal from the supreme law of the land. I hope the member will withdraw it. If we are in error, it is safe to be in error. I say the opinion of the Chair is certainly legal.

Mr. Hempstead—I want to ask the Speaker a question. How many members constitute the House of Representatives?

The Speaker—One hundred and six.

Mr. Worrall—I hope the gentleman will withdraw his appeal.

Mr. Hempstead—I can not withdraw the appeal.

The Speaker—I decide that there is not a quorum present, and no appeal can be taken.

Mr. Worrall—I wish to make this point.

The Speaker—The Chair entertains the opinion that no quorum is present, and he can not entertain an appeal now. You can entertain the decision of this appeal until a quorum is present, then you can appeal from the decision of the Chair.

Mr. Worrall—I wish to ask the Speaker if the members can now, by unanimous consent, agree to take up this question and argue it, without we get this quorum? I should like nothing better than to argue on this question now.

The Speaker—I wish to remind the House that there is nothing before the House.

Another member here came in, which made the desired quorum.

Mr. Brown called up his bill in reference to paying last year's vouchers.

Mr. Stamps moved that it be indefinitely postponed.

Mr. Hempstead—I desire to say a few words in reference to the question—

Mr. Stamps—I rise to a point of order. The question of postponement is not before the House.

The Speaker recognized Mr. Hempstead as entitled to the floor, and he continued.

Mr. Speaker, we all know that many warrants were passed last year that should not be paid and a great number that should be paid. Some of them were passed legally and some were not. A few have been paid, and a large number the State still owes for, some that they legally owe. There were warrants passed last session that the State has no right to pay. I do not propose, Mr. Speaker, that the State shall pay spurious warrants, but I want this matter investigated. I want those persons who are entitled to the pay to have it, and those that we legally owe we must pay. I do not think any honest member of this House wants them repudiated.

Mr. Speaker, this is a matter of money; a financial matter is concerned. I want this committee to investigate this thing and report back to the House. Their action will not be final. The House, on receiving their report, can decide whether or not they are right. Why not let this committee investigate it? There is no money to be made in it. The committee can make nothing. It is but a justifiable act, and I think the committee should be appointed. I have no interest in this committee, but I want justice meted out to the parties holding these warrants.

Mr. Brown withdrew his motion, and, on motion, it was made the special order of the day for Wednesday.

Mr. Faulkner—Mr. Speaker, rule No. 10 says that no member shall speak out of his seat. Now, sir, this rule has been violated all during this session. The members speak out of their seats, but we have no home until we get seats. I hope that we will soon have seats so that we can speak from our seats. Another point, while I have the floor. I hope that the gentlemen of this House will preserve a little more order. Sometimes it is utterly impossible to hear ourselves talk.

Mr. Oplatek—I agree with the gentleman who has just sat down. I can not hear half a dozen words sometimes, and it is often necessary to be heard that one has to go up to the Speaker's desk, and it is no more than justice that members who have back seats should have a place somewhat nearer.

Mr. Matthews—Now, Mr. Speaker, I object. It may be some of these members want a particular seat. The usual way is to draw seats, and why not draw for them now? I think the gentlemen in front should show some little courtesy to the gentlemen back. I know that if I were front I would not be so discourteous to the gentlemen back. But, Mr. Speaker, if they put the large members in front I will be satisfied. I hope that you will now proceed to draw seats in the usual manner.

It was moved to lay this motion upon the table.

Mr. Carr—I want to know what becomes of the amendment that was offered by the gentleman from Orleans.

Mr. Worrall—The motion to lay upon the table is not debatable.

After some unimportant business, the House adjourned until to-morrow at twelve o'clock.

THE SENATE YESTERDAY.

Nineteenth Day's Session.

SENATE CHAMBER, Monday, January 22, 1872.

The Senate met pursuant to adjournment.

Present—Hon. P. B. S. Pinchback, Lieutenant Governor and President of the Senate, and Messrs. Anderson, Antoine, Barber, Blackman, Bowman, Butler, Campbell, Coupland, Daigle, Gallup, Harris, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Lynch, McMillen, Noland, O'Hara, Ragan, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—33.

Prayer by the Chaplain.

Reading of the minutes of the previous day's session.

Corrections made, and minutes adopted as corrected.

The following reports were received:

STATE OF LOUISIANA, Auditor's Office, New Orleans, January 1, 1872.

To the Honorable President and Members of the Senate:

According to the provisions of section 1138 of the Revised Statutes of the State of Louisiana, I have the honor to report the following named persons who have become defaulters to the State during the year 1871, under said section:

Thomas H. Jenks, late tax collector, parish of East Feliciana, $12,592 22.

B. W. Bullitt, tax collector, parish of Grant, $13,970 88.

Jefferson Salter, tax collector, parish of Sabine, $5231 71.

J. H. Wooldrige, tax collector, parish of Franklin, $6592 36.

Very respectfully,
JAMES GRAHAM, Auditor.

STATE OF LOUISIANA, Auditor's Office, New Orleans, January 15, 1872.

To the Honorable President and Members of the Senate:

In accordance with the requirements of the second section of act No. 72, of 1871, I have the honor to inclose herewith a detailed statement (accompanied with vouchers) showing what disposition I have made of the contingent fund appropriated by the said act for the benefit of my office.
JAMES GRAHAM, Auditor.

The following communication was received and ordered printed in the journal:

Resolutions adopted at a mass meeting of the Republican party of Ouachita parish, held at Monroe, Louisiana, Saturday, November 25, 1871.

WHEREAS, The news of the sudden death of Lieutenant Governor Oscar J. Dunn, received here by telegraph on the morning of Wednesday, November 22, 1871, produced a shock on this community and profound regret at the loss of so valuable a citizen and officer. In Lieutenant Governor Dunn all recognized a good citizen, an officer of unusual ability, an honest man, and the noblest representative of his race on the continent: in his death the State has lost the ablest presiding officer that ever presided over her Senate. Courteous in his deportment, firm in his resolves, honest in his purposes and just in his administration, no one had just cause of complaint againt him; therefore, be it

Resolved, That in the death of Lieutenant Governor Oscar J. Dunn the people of this State have cause to mourn the loss of one of her noblest citizens and ablest officers.

Resolved, That we tender to the family of the deceased our most heartfelt sympathies for their irreparable loss.

Resolved, That a copy of these resolutions be forwarded to the President of the Senate, with the request that the same be entered on the journal of the Senate.

Resolved, That a copy of these resolutions be forwarded to the widow and family of the deceased, and published in the *Intelligencer*.

ROBERT RAY,
President.

JULIUS ENNEMOSER,
W. F. SOUTHARD,
Secretaries.

A communication from Dr. Kaufmann, relative to physicians' licenses, was received and referred.

REPORTS OF COMMITTEES.

Mr. Ray, on behalf of the special committee appointed on Saturday to consider substitute for Senate bill No. 261, reported, with amendments, substitute for Senate bill No. 261, to be entitled an act defining the distances from the domicile of members of the General Assembly to the State House, fixing the mode of ascertaining the per diem of members of the General Assembly for the time engaged in going to and returning from the State House, and the mileage to be paid, and the number of employes of the General Assembly, and their compensation, and defining their duties, and making an appropriation to defray the expenses of the General Assembly.

The bill was ordered printed as amended by the committee.

Mr. Campbell, on behalf of the Committee on Rules, appointed on the twentieth instant, requested further time to report.

Granted.

NOTICES OF BILLS.

By Mr. Gallup:

Of a bill to be entitled an act to incorporate the Louisiana Library Association, and to grant certain privileges to the same.

By Mr. ———:

Of a bill to be entitled an act relative to contributions to be raised by the Citizens' Bank of Louisiana, and the resale of property purchased in foreclosure of stock mortgages.

By Mr. Ragan:

Of a bill to be entitled an act for the relief of the officers and members of the Metropolitan Police.

By Mr. Kelso:

Of a bill to be entitled an act for the relief of John Osborn, judge of the Ninth Judicial District of Louisiana.

By Mr. Lynch:

Of a bill to be entitled an act to define the duties and fix the compensation of State Printer.

Mr. Ray gave notice that he would introduce, at some future time, bills relative to registration law; election law; printing law; law relative to assessing and collecting taxes; law relative to providing stationery; to authorize parishes to subscribe for stock in railroads; to create the office of chief engineer; to repeal sections 765, 761 and 2025 of the Revised Statutes.

Mr. Lewis asked for unanimous consent to get the sense of the Senate relative to the number required to make a quorum of the Senate and the legality of the repeal of the election and other laws.

Mr. Sypher raised the point of order that Mr. Lewis was not in order in speaking of the repeal of bills and of a quorum at this time.

Point not sustained.

Mr. Campbell raised the point of order that a suspension of the rules can not be asked except to make a motion or introduce a resolution.

The President decided the point of order well taken.

The President, expressing the opinion that eighteen Senators do not constitute a quorum, and suggesting an appeal from his decision as testing the question, Mr. Campbell raised the point of order that until a question is properly before the Chair for decision, he can make no such decision as is appealable.

The President decided the point well taken, and suggested for the information of the Senate that on presentation to him of the enrolled bills in question for his signature, he would refuse to affix his signature, except under instructions from the Senate, and thus the question could be properly determined.

NOTICES OF BILLS.

By Mr. Sypher:

Of a bill to be entitled an act authorizing Albert E. Davis, of the parish of St. Mary, to sue the State of Louisiana.

By Mr. Thomas:

Of a bill to be entitled an act regulating the fees of sheriffs; also, a bill regulating the fees of district courts.

By Mr. Thompson:

Of a bill to be entitled an act relative to the New Orleans, Baton Rouge and Vicksburg railroad.

By Mr. Blackman:

Of a bill to be entitled an act relative to apportionment of the representation of the State.

Also, of a bill to be entitled an act relative to the taxpayers of the State, of all penalties for the non-payment of taxes.

Also, of a bill to be entitled an act repealing the constabulary and Metropolitan Police bills.

By Mr. Campbell:

Of a bill to be entitled an act to provide for the expenses of the State militia.

By Mr. Hunsaker:

Of a bill to be entitled an act relative to a joint committee to revise the Penal Code and Code of Criminal Procedure.

By Mr. McMillen:

A joint resolution, to be entitled a joint resolution creating a joint select committee of both houses of the General Assembly, to consider the subjects of registration, election, militia and printing.

The following resolutions were introduced, which lie over under the rules:

By Mr. O'Hara:

Resolved, That the President of the Senate appoint a committee of five members to examine the books, accounts and general expenses of the Board of Metropolitan Police Commissioners, and also into the efficiency of the Metropolitan Police force.

By Mr. Campbell:

Resolved, That a committee of three Senators be appointed by the President to investigate and report to the Senate whether a conspiracy has existed in the State to overturn the State government by force, and if so to inquire and report what persons have been employed therein.

By Mr. McMillen:

Resolved, That the Secretary of the Senate be instructed to notify the House of Representatives officially that the Senate has a quorum and is ready to proceed with business.

By Mr. Blackman:

Resolved, That, in the interest of peace and order, and to settle any difficulty that may exist as to legality of the House of Representatives, we respectfully request both houses, in order to settle their differences, that they assemble in the hall of the House of Representatives, with all the members that were entitled to seats on the fourth day of the session, and, after calling the roll, proceed to an organization. That all forces in and around the State House be removed, and all sergeants-at-arms be disbanded except the regular Sergeant-at-Arms and his assistants.

Mr. Blackman moved a suspension of the rules with the purpose of adopting the resolution.

Mr. Gallup raised the point of order that, the hour of one o'clock having arrived, the further consideration of the resolution was not in order.

The President held the point not well taken, as the Senate might suspend the rules by a two-thirds vote.

Messrs. Harris and Hunsaker successively raised the point of order that the resolution must lie over one day before action could be taken thereon.

The President held the point of order so far well taken, as that it required a two-thirds vote to suspend the rule requiring such delay.

Mr. Blackman proceeded to discuss the motion to suspend the rules, when Mr. McMillen raised the point of order that the motion was not debatable.

The President decided the point well taken.

The yeas and nays being called, on the motion of Mr. Blackman to suspend the rules, the Senate refused to suspend by the following vote, two-thirds of the Senators present not voting in the affirmative:

Yeas—Anderson, Antoine, Blackman, Bowman, Butler, Coupland, Daigle, Herwig, Ingraham, Lewis, O'Hara, Ray, Smith, Sypher, Thomas, Thompson, Todd, Wilcox—18.

Nays—Barber, Campbell, Gallup, Harris, Hunsaker, Jenks, Kelso, Lynch, McMillen, Noland, Pinchback, Ragan, Swords, Twitchell, Whitney—15.

Mr. Jenks called up the following resolution, introduced by Mr. Hunsaker on the twentieth instant, and moved its adoption.

Resolved, That a committee of three be appointed to inform the Governor and the House that the Senate is organized and ready to proceed to business.

Pending the discussion of the above, Mr. Lynch moved that the Senate ajourn until to-morrow at 12 M.

Adopted.

The President then announced that the Senate stood adjourned until Tuesday, the twenty-third instant, at 12 M.

The New York *Standard* says:

The entire stable of Mr. Sanford remaining at Prenkness, New Jersey, is under orders to proceed to New Orleans for the two spring meetings to be held there in April. A portion of this stable, comprising Madame Dudley, Salina, Niagara and Monarchist went South from Baltimore immediately after the fall meeting under the charge of Charles Littlefield, and at the New Orleans winter meeting won five of the principal races. The string which leaves for the South some time during the present month will comprise the five-year old Prenkness and three-year olds.