New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

OFFICIAL JOURNAL
OF THE
PROCEEDINGS OF THE SENATE

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

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 against 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. Lynch:

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 resolution the following paper was read by the Secretary, at the request of Senator Blackman:

JANUARY 12, 1872.

We, the undersigned State Senators, pledge ourselves in honor, each to the other, that we will, during the present session of the General Assembly, act as a unit and all together on the different reform measures which may be before the General Assembly, and particularly on the subjects of the amendment of the registration, election and constabulary laws, the general appropriation bill, the revenue and license bill, the bill to provide for the assessment and collection of the taxes, the bill defining the expenses of the General Assembly, and all other bills reforming and reducing the expenses of the State, and on all appropriation bills and funding bills, and on the confirmation or rejection of nominations. Also, the printing bill, apportionment bill, Metropolitan bill, militia bill, and the arrangement of committees, and upon all questions or bills affecting the best interests of the people.

JOHN RAY,
WILLIAM L. THOMPSON,
W. F. BLACKMAN,
JAMES H. INGRAHAM,
SAMUEL M. TODD,
S. S. BOWMAN,
C. C. ANTOINE,
F. DAIGLE,
PATRICK H. O'HARA,
MORTIMER F. SMITH,
C. WILCOX,
T. V. COUPLAND,
J. B. LEWIS,
A. J. SYPHER,
P. F. HERWIG.

I sign the above, and concur in it, with the exception of the registration and election laws.

S. M THOMAS.

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.

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.

Twentieth Day's Proceedings.

HOUSE OF REPRESENTATIVES, Tuesday, January 23, 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, Broussard, Brown, Buckingham, Carr, Chachere, Cochrane, Crawford, Darinsburg, Davidson, Davis, Deslonde, Demas, Dewees, Durio, Faulkner, Floyd, Fontelieu, Gardner, Garstkamp, P. Harper, Hempstead, Hyams, Kinsella, La Saliniere, Laurent, Mahoney, Marie, Marvin, Matthews, McCarty, McFarland, Morphy, Morris, Murray, Ong, Oplatek, Overton, Pond, Quinn, Raby, Riley, Ringgold, Sartain, Souer, Stamps, Tatman, Tounoir, Verrett, Washington (Assumption), Washington (Concordia), Worrall, Yorke, Young—62.

Quorum present.

Prayer by Rev. Mr. Scrivens.

Upon motion of Mr. Huston, of East Feliciana, the reading of the minutes was dispensed with, and the journal, with the following corrections, was adopted:

Under a suspension of the constitutional rule House bill No. 309, introduced yesterday, underwent its second reading, and was referred to the Committee on Corporations.

That the veto messages of the Governor be printed in the journal, and made the special order of the day for Thursday, immediately after roll call.

Upon motion of Mr. Davidson, of Livingston, the vote expelling certain members of the House for refusing to attend the meetings of the House, was reconsidered so far as it concerned Messrs. Durio, of St. Landry, Chachere, of St. Landry, Darby, of St. Landry, and Hyams, of West Baton Rouge, and they were allowed to take their seats and to answer to their names.

Upon motion of Mr. Carr, of De Soto, the veto messages of the Governor, as follows, were ordered to be printed in the journal of this day:

STATE OF LOUISIANA, Executive Department, New Orleans, January 1, 1872.

To the Honorable Speaker and Members of the House of Representatives:

Herewith I return, without my signature, an act entitled "An act to grant the aid of the State to the Lafourche and Terrebonne Draining and Land Improvement Company."

This bill authorizes the issue of State bonds to the amount of $265,000, for the purpose of dredging and making navigable certain bayous in the parish of Terrebonne.

During the vacation of your honorable body, the Supreme Court, in the case of the State ex rel. Solomon & Simpson vs. James Graham, Auditor, declared that the constitutional limitation of the State debt to $25,000,000 had been reached.

This bill, which provides for the contracting of further indebtedness, is, therefore, in contravention of the constitutional amendment question.

H. C. WARMOTH,
Governor of Louisiana.

STATE OF LOUISIANA, Executive Department, New Orleans, January 1, 1872.

To the Honorable Speaker and Members of the House of Representatives:

Having carefully examined an act originating with your honorable body entitled "An act to provide for the deepening of the water on the bar existing at Pass-a-l'Outre, at the mouth of the river Mississippi, to remove impediments to the navigation at said bar, and to provide for the issuance of bonds of the State of Louisiana in payment therefor, and to create a revenue to meet the payment of said bonds and the interest thereon," I herewith return the same without my approval.

By this bill bonds of the State to the amount of $950,000 are authorized to be issued, for the purpose of improving the navigation at the mouth of the Mississippi river. Chief and most conclusive among the many objections that may be urged against this bill is that it is in direct contravention of the amendment to the constitution, limiting the debt of the State to $25,000,000 prior to 1890.

H. C. WARMOTH,
Governor of Louisiana.

STATE OF LOUISIANA, Executive Department, New Orleans, January 1, 1872.

To the Honorable Speaker and Members of the House of Representatives:

Having examined an act originating with your honorable body, entitled "An act to incorporate the Louisiana Steamship Company of New Orleans," I am compelled to return the same without my approval.

This bill is doubly unconstitutional. In the first place, one of its objects is to grant to the company aid of the State to the amount of $1,000,000, which object is not expressed in the title of the bill, and does not therefore comply with the requirements of article No. 114 of the constitution, which provides that every law shall express its object or objects in its title; and, secondly, it is in direct violation of the amendment to the constitution forbidding the Legislature to increase the debt of the State to exceed $25,000,000 prior to 1890.

H. C. WARMOTH,
Governor of Louisiana.

STATE OF LOUISIANA, Executive Department, New Orleans, January 1, 1872.

To the Honorable Speaker and Members of the House of Representatives:

An act originating with your honorable body, entitled "An act for the improvement of the navigation of the rivers Tchefuncta and Bogue Falia," is herewith returned without my approval.

This bill makes an appropriation of $25,000 for the purpose of improving the navigation of two rivers without any survey or report by the State Engineer as to the necessity or importance of the work. The cardinal objection to this bill is that it calls for the expenditure of a large amount of public money, which, however important the work, our present financial condition will not justify.

H. C. WARMOTH,
Governor of Louisiana.

STATE OF LOUISIANA, Executive Department, New Orleans, January 1, 1872.

To the Honorable Speaker and Members of the House of Representatives:

An act originating with your honorable body, entitled "An act giving to J. H. Casgrove, of Natchitoches parish, exclusive right to establish a wharf at Grand Ecore, Louisiana," is herewith returned without my signature.

The principal and fatal objection to this bill is that it grants exclusive privileges. It is not necessary to the commerce of the public that such grants should be made. Mr. Casgrove has the right to establish a wharf at Grand Ecore on the same terms and conditions as any other citizen, but it would be most unwise and unjust for the Legislature to pass this bill, and thereby exclude all other persons from enjoying the privileges.

H. C. WARMOTH,
Governor of Louisiana.

STATE OF LOUISIANA, Executive Department, New Orleans, January 1, 1872.

To the Honorable Speaker and Members of the House of Representatives:

I return herewith, without my approval, an act entitled "An act to incorporate the Crescent City Waterworks, to define its rights and duties, to punish offenses committed against the franchises of said company and the public health."

I do not believe the State should attempt to deprive the city of New Orleans of its property, without its consent, for the benefit of individuals whose only object is speculation, and who will not give the city compensation or the public advantages commensurate with their loss.

I doubt the power of the Legislature to do this, and must return the bill to your honorably body for reconsideration.

In the multiplicity of matters claiming my attention at the present time, I shall be unable to say more on the subject, but will communicate more fully my objections in a subsequent message.

H. C. WARMOTH,
Governor of Louisiana.

PETITIONS, MEMORIALS AND RESOLUTIONS

Mr. Yorke, of Carroll, offered the memorial of B. M. Browder, as follows, which was referred to the Committee on Claims, when appointed:

A memorial from Mr. B. M. Browder, a citizen of Carroll parish, to be relieved for the sum of $501 05, being the amount suffered in damages, be passed; that a warrant issue to his order for said sum, and that the State Treasurer be ordered to pay said sums, etc.

Mr. Overton, of Ouachita, offered the following memorial, which was referred to the Committee on Parochial Affairs:

A memorial from the citizens of Ouachita, praying your honorable body to pass a bill relieving the property owners from the payment of State tax for the year 1871, assessed against such property destroyed by fire on the thirtieth of December, 1871, in the town of Monroe.

The Speaker here announced that he tendered his resignation as Speaker to the House, so that it might reorganize if the members thought it necessary or advisable.

Mr. Davidson, of Livingston, moved that the House would refuse to accept the Speaker's resignation, and called for a yea and nay vote, seconded by Mr. Barrett, of Orleans, and called upon the Clerk to put the motion.

The Clerk announced the question, as follows: That all in favor of accepting the resignation should vote yea, and all opposed nay.

The roll was then called, with the following result:

Yeas—Broussard, Chachere, Durio, Hyams, Tatman, Yorke—6.

Nays—Abel, Barrett, Barrow, Bentley, Bickham, Blunt, Bowen, Brown, Buckingham, Carr, Cochrane, Crawford, Darinsburg, Davidson, Davis, Demas, Dewees, Deslonde, Faulkner, Floyd, Fontelieu, Gardner, Garstkamp, P. Harper, Hempstead, Huston, Kinsella, La Saliniere, Laurent, Mahoney, Marie, Marvin, Matthews, McCarty, McFarland, Morphy, Morris, Murray, Ong, Oplatek, Overton, Pond, Quinn, Raby, Riley, Ringgold, Sartain, Smith, Souer, Stamps, Stanton, Tounoir, Verrett, Washington (Assumption), Washington (Concordia), Worrall, Young—57.

The House refused to accept the Speaker's resignation.

Mr. Hempstead, of Iberville, moved to reconsider the vote just taken, and also moved to lay the motion to reconsider on the table.

Carried.

Mr. Gartskamp, of Jefferson, introduced the following resolution, which was referred to the Committee on Corporations:

Resolved, That the Speaker of the House appoint a committee of five members to examine the books, accounts, and expenses of the Board of Metropolitan Police Commissioners, and report as soon as possible.

Mr. Worrall, of Jefferson, introduced the following resolution, and moved its adoption:

Resolved, That the action of the House, in extra session, expelling George W. Carter from the House of Representatives, and the election of O. H. Brewster Speaker of said House is hereby confirmed and ratified.

Mr. Dewees, of De Soto, called the previous question on the adoption of the resolution.

The main question ordered.

A yea and nay vote was demanded on the adoption of the resolution by Messrs. Yorke, of Carroll, and Barrett, of Orleans, with the following result:

Yeas—Abel, Barrett, Barrow, Belot, Bentley, Bickham, Blunt, Bowen, Brown, Carr, Cochrane, Crawford, Darinsburg, Davidson, Davis, Demas, Dewees, Deslonde, Faulkner, Floyd, Fontelieu, Gardner, Garstkamp, P. Harper, Hempstead, Huston, Kinsella, 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, Young—56.

Nays—Broussard, Buckingham, Chachere, Durio, Hyams, Pond, Tatman, Yorke—8.

The resolution was adopted.

Mr. Faulkner, of Caldwell, 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. Davidson, of Livingston, moved to reconsider the vote by which the resolution expelling certain members was adopted, so that the subject could be referred to a special committee of three, to be appointed by the Speaker, stating, at the same time, that it was his desire that he would not be appointed on the committee.

Upon motion of Mr. Yorke, of Carroll, the motion of Mr. Davidson was laid on the table.

Mr. McFarland, of St. Martin, offered the following resolution, which was adopted:

Resolved, That the Speaker appoint a committee of three to investigate into the affairs of the Crescent City Live Stock Landing and Slaughterhouse Company.

The following resolution was introduced by Mr. Bowen, of Orleans, who moved its adoption:

Carried.

Resolved, That in accordance with the requirements of section 1540 of the Revised Statutes, the Speaker of the House of Representatives appoint a special committee of five members to examine the books, vouchers and other official documents in the office of the Auditor of Public Accounts, and make a full and detailed report thereof to both houses of the General Assembly.

Mr. Sartain, of Carroll, introduced the following resolution, which was adopted:

Resolved, That a committee of five be appointed by the Speaker to investigate the legality of the assessment and collection of taxes in the parish of Carroll, and report to this House as early as possible.

Mr. Floyd, of St. Helena, introduced the following resolution, and moved its adoption.

Carried.

Resolved, That there be a special committee of three appointed to investigate the affairs of the lessees of the New Canal Company, to see if they have complied with their charter.

Mr. La Saliniere, of St. Martin, introduced the following resolution, which was adopted:

WHEREAS, During the session of the Legislature of 1870 and 1871 committees were appointed to investigate in what manner the $5,000,000 of bonds issued by the city of New Orleans had been disposed of; and

Whereas, The said committees have failed to make any report relative thereto; therefore, be it

Resolved by the House of Representatives of the State of Louisiana, That a special committee of three members be appointed by the Chair to investigate in what manner the bonds have been disposed of, and what has been done with the proceeds of said bonds. The committee shall have the right to send for persons and papers, and report to this House as soon as practicable.

Mr. Murray, of Orleans, introduced the following resolution, and moved its adoption:

Resolved, That the Speaker appoint a special committee of five to investigate the affairs and condition of the Chatanooga railroad, and to find out and ascertain whether they have complied with their charter, and to report to the House as soon as possible; the said committee shall have power to send for papers, persons and books.

Mr. Hempstead, of Iberville, moved to lay the resolution on the table.

The following point of order was raised by Mr. Garstkamp, of Jefferson:

That during last session a rule was passed that no special committee should be appointed whose duties would conflict with those of a regular committee. That the duties of the committee to be appointed under the resolution would conflict with those of the Committee on Railroads.

The point of order was decided by the Speaker as being well taken, and the resolution, on motion of Mr. Garstkamp, of Jefferson, was referred to the Committee on Railroads.

MESSAGE FROM THE SENATE.

The Secretary of the Senate was announced with the following message from the Senate:

SENATE CHAMBER, January 23, 1872.

To the Honorable Speaker and Members of the House of Representatives:

I am instructed by the Senate to ask your concurrence in the following concurrent resolution:

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 163 of the constitution.

PITT CRAVATH,
Assistant Secretary of the Senate.

Upon motion of Mr. Carr, of De Soto, the concurrent resolution referred to in the message was adopted, and notice of concurrence was ordered to be sent to the Senate.

Mr. Pond, of East Feliciana, introduced the following resolution, which was referred to the Committee on Penitentiary:

Resolved, That a committee of five members of this House be appointed to investigate and inquire into the modes of kinds of punishment made use of in the State Penitentiary, with power to send for persons and papers.

Mr. Huston, of East, Feliciana, introduced the following resolution, and moved its adoption:

Resolved, That a committee of five be appointed by the Speaker of this House to investigate the actions of the Louisiana Lottery Company, with power to send for persons and papers.

Mr. Dewees, of De Soto, moved to lay the resolution on the table.

Mr. Hempstead, of Iberville, moved to adjourn until to-morrow, at twelve o'clock M.

Lost.

A yea and nay vote was demanded by Messrs. Young, of Concordia, and Bentley, of St. Mary, on the motion of Mr. Dewees, of De Soto, to lay the resolution on the table, with the following result:

Yeas—Abel, Carr, Dewees, Faulkner, Matthews, McCarty, Ringgold, Tatman—8.

Nays—Barrett, Barrow, Belot, Bentley, Bickham, Blunt, Bowen, Brown, Buckingham, Cochrane, Crawford, Darinsburg, Davidson, Davidson, Davis, Deslonde, Demas, Floyd, Fontelieu, Gardner, Garstkamp, Hempstead, Huston, Hyams, Kinsella, La Saliniere, Laurent, Marie, Marvin, Mahoney, McFarland, Morphy, Morris, Murray, Ong, Oplatek, Overton, Pond, Raby, Riley, Sartain, Smith, Stamps, Stanton, Tounoir, Verrett, Washington (Assumption), Washington (Concordia), Worrall, Yorke, Young—50.

House refused to lay the resolution on the table.

Mr. Dewees, of De Soto, raised the following point of order: That the resolution came under rule regarding special committees when conflicting with regular committees.

The point was decided as well taken, and the Speaker ordered the resolution to be referred to the Committee on Corporations.

The Speaker announced the following committee appointed under the Senate concurrent resolution passed to-day:

Messrs. Harris, of St. Charles; Oplatek, of Orleans; Barrett, of Orleans; Carr, of De Soto, and Tatman, of St. Landry.

Mr. Carr, of De Soto, introduced the following resolution, and moved its adoption:

WHEREAS, The House of Representatives of the General Assembly of the State of Louisiana did, on its seventeenth day's proceeding, pass the following resolution, to wit:

Resolved, By the House of Representatives of Louisiana, That for the reason that the following members elect to the House of Representatives of Louisiana have willfully and contumaciously absented themselves from meeting the House of Representatives of Louisiana at the place and house authorized by law for the meeting of the General Assembly of Louisiana, and have attempted and are now holding pretended sessions at a place not indicated nor authorized by law; be it therefore

Resolved, That Messrs. Adolphe, Antoine, Baker, Barker, Bryan, Burch, Butler, Chachere, Durio, Ellis, Gaddis, William Harper, Hyams, Johnson, Killen, Llambias, H. Lott, J. B. Lott, Meadows, Moncure, Nelson, Otto, Stinson, Tatman, Thompson, E. Williams, H. Williams, Darby, Kenner, Laurent, Tureaud and Ullman be and are hereby expelled from this House, two-thirds concurring.

And, whereas, The said House, at various times since the adoption of the said resolution, reconsidered and rescinded the same as to several members of the said House named in said resolution; and

Whereas, It is the desire of the said House to adopt a sound public policy on the privilege of the rejection and readmission of the members thereof, whose conduct has placed them in the contempt of the dignity of the said House; and

Whereas, It is the heretofore declared purpose of the House not to countenance revolutionary or other unwarrantable proceeding against the constitution and laws of the State of Louisiana, as well as the lawful constituted authorities thereof; therefore,

Resolved, That the Speaker appoint a special committee of five to whom shall be referred the application of all the said ejected members named in the first preamble hereof, and who have not been seated and may now desire to return to their seats, so that said committee may procure a proper guarantee from said unseated members that they will adhere to the constitutional authorities of the State, and otherwise discountenance all illegal combinations against the constitution and laws of the State of Louisiana, and until such guarantee is first procured by said committee, none of the said unseated members shall be allowed the privilege of the reconsideration of the resolution referred to in the first preamble hereof.

Pending further action on the resolution, and upon motion of Mr. Dewees, of De Soto, the House adjourned until twelve o'clock M. to-morrow.

WILLIAM VIGERS,
Chief Clerk.

In Kalamazoo, Michigan, there are settled members of the Fuller family, numbering ten in all, whose ages average seventy and seven tenth years, or seven hundred and seven years in all. The grandfather removed to Michigan from New England, and lived ninety-four years.

DEBATES IN THE HOUSE.

TUESDAY, January 23, 1872.

After the call of the roll, Mr. Huston asked permission to speak on a privileged question. Leave being granted, he said:

Mr. Speaker, as the House has no question before it at present, I wish to make a few remarks in reference to the action of the Senate yesterday.

By accident, yesterday, I was in the Senate as a spectator, and heard several speeches and remarks in reference to the legality of the organization of the House of Representatives of the State of Louisiana, and the legality of the election of the Speaker. One member said we had no right to elect a Speaker unless by a majority vote. They took the liberty of saying this. Now, sir, what right has the Senate to say we shall not elect who we please and when we please? We have a right to elect a Speaker whenever a majority of the House votes for it. They say we are not organized. They can not constitutionally say that we are not organized.

Now, I want to ask the members of this House, as members of a House of Representatives, as representatives of the people, as the legal House of Representatives, do you recognize O. H. Brewster as the Speaker of the House of Representatives. [Cries of "Yes."]

Then can you reasonably sit here to take the insult that the Senate has offered you? No; I can not. Let us hurl it back in their teeth. Just think of the insult and indignity that has been cast upon this Assembly. Now, sir, I want the Senate to distinctly understand this point that we organize this House to suit ourselves, individually and collectively. We want them to understand that we organize and reorganize as it suits us, and no pressure they can bring to bear, no words of theirs can change the condition of this House. They have nothing to do with it.

We can make speakers and unmake speakers. We make, and unmake as fast as we make them, and the Senate has no right to interfere; and I want them to distinctly understand that they have offered an insult and indignity to this House by their action yesterday. They say that the extra session was illegal; that there was no quorum in the Senate, therefore it was illegal. There was a call for the Senate, but they know the reason as well as the members on this floor; they were on the Wilderness, and it was put out of the reach of the State government, that prevented the Senate from having a quorum. Nineteen precious days have been wasted because we could not get a quorum in the Senate. All this time we could have spent in passing measures of reform. And just here allow me to remark that we are pledged to have reform. We are representatives who have been sent here to secure this reform. We want reform; we are anxious for reform. The Democratic members of this House have acted nobly. They have been always ready for reform; aye, anxious for it, and a great deal of credit is due them.

In conclusion, Mr. Speaker, I want the Senate to understand one thing—that we, as the House of Representatives, intend to organize and reorganize whenever we please; that we will elect any one we choose as Speaker; and that we do not require any suggestions or dictation from them.

The Speaker—I wish to call the attention of the House to one important fact and well known fact, that there is considerable doubt among many of our best citizens in reference to the legality of the present organization of this House.

Now, the Chair will not do anything that will prevent the settlement of this question, and for the purpose of testing this matter, I now tender my resignation as Speaker of this House.

Mr. Worrall—I think we have a better and more satisfactory way of settling this question.

The yeas and nays were called for, and the Speaker's resignation was not accepted.

Mr. Brown—To settle this question, I propose to introduce a resolution that will settle it.

The Clerk read the resolution.

Mr. Huston—I object to the resolution We do not recognize Mr. Carter as Speaker of this House, or as a member. We have nothing to do with him.

Mr. Carr—The adoption of this resolution looks as if we doubted the legality of our own former proceedings. I do not doubt that everything we have done is legal. We have adopted a resolution which indorses the proceedings of the extra session, and to adopt this resolution, it looks to me as if we doubted the legality of the former meetings. I am convinced myself that all we have done at the previous meetings is legal and right.

Mr. Brown—My reason for offering the resolution is, the Speaker decided yesterday that fifty-four members constituted a quorum of this House, and I thought that some of the proceedings were acted upon with fifty-three members.

Mr. Harper, of St. Charles—I rise to oppose this resolution. I think it entirely unnecessary. We have adopted resolutions which have settled this question. We elect a Speaker. We must do it according to the constitution. That we have done, and I contend that the constitution is stronger than a resolution.

Mr. Worrall—I do not altogether agree with the gentleman from St. Charles. This resolution is to place, beyond a shadow of a doubt, the question as to the legality of the election of Speaker. I do not want the question called up again. I want it settled now, and we can never do it unless we adopt a resolution like the present one. I want O. H. Brewster declared Speaker of this House. This resolution states that point, and if it is adopted he is elected Speaker of this House. Now, I hope the resolution will be adopted, for it will then show that O. H. Brewster is the legal Speaker of the House of Representatives.

Mr. Huston asked the privilege of changing his vote from no to yes, and also to explain his vote. He said:

Mr. Speaker, when I voted no on this question I thought that it recognized Mr. Carter as Speaker of the House. I am now convinced that it does not; so I, therefore, change my vote from no to yes. Many of my friends on this floor have voted as I did and will change their votes.

Mr. Huston called up his bill, and asked that it be referred to a special committee.

Mr. Oplatek—I rise to a point of order. At the last session of this House rules were adopted which provided for committees. The rule said that no special committee could be appointed that would come in contact or conflict with a standing committee. Now there is a standing committee on the same subject. I do not think the special committee should be appointed.

Mr. Murray—I rise to a question of information. I would like to know what rule says we shall not appoint these special committees.

Mr. Garstkamp—We have adopted the rules of the last session, and of course we are to be governed by them. At the last session a resolution was offered which said that no special committee could be appointed that would conflict with the standing committees. This was not printed in the rules of the Assembly, but the journal of 1871 shows it.

The Speaker—I decide that it is not necessary for the rules of this House to be printed to govern the House.

Mr. Worrall—What are we voting on? That lottery swindle?

Mr. Huston—I want the gentlemen of this House to understand that I am not connected with a swindle, and I shall hold any one who says I am personally responsible, inside and outside of this building.

Mr. Worrall—Does the gentleman refer to me?

Mr. Dewees—I think the Speaker can decide this question. He has the power to refer it to the committee to which it belongs. That committee is the Committee on Corporations.

Mr. La Saliniere—I take the ground that the members who make the laws can unmake them at any time.

The Chair decided that no committee could be appointed that would interfere with the standing committees.

Mr. Carr—Mr. Speaker, in 1868, the present charter which the Louisiana Lottery Company holds was given it by the State on one condition, that was: it should give $40,000 yearly to the school fund. A committee was appointed which was to report to the House and General Assembly whether it was faithful to its contract. This they have done. This is now a private corporation. It was decided in the Supreme Court to be a private corporation, and the higher courts decided as did the lower courts, that as long as the Louisiana Lottery Company fulfilled its contract it was legal. This has been done, and now this company is a private corporation. The charter was granted by the General Assembly of this State, which makes the doings of the company legal.

No committee can inquire into a private incorporation. It can not be done. The company has got its charter, so the committee can not investigate its affairs at all. I think, sir, that this special committee would interfere with two standing committees, and and should not be appointed.

Mr. Stamps—Now, Mr. Speaker, this question is taking up the time of this House, and I think it is time it should be settled. I do not think the standing committee should be interfered with.

Mr. Oplatek—I am opposed to appointing a special committee. I do not want them to come in conflict with the standing committees.

Mr. Carr—This committee will interfere with the Appropriation Committee.

The Speaker—The chairman is of the opinion that resolutions of this nature should be referred to standing committees, and the Chair will so decide.

The Chair then appointed the committee.

Mr. Carr then offered a resolution relative to the expulsion of members. In presenting it, he said:

Mr. Speaker, I desire to state to the members of the House my reasons for offering this resolution. In 1871 these members who have separated themselves from our body took an oath to represent their people faithfully and honestly. These members have now violated their oath. They have broken the oath they swore to keep. They broke it by leaving this body and joining a revolutionary body. Now, I want them to come back. I am willing that they should come back; but let us get from these members the reasons why they left, where they have been, and what they have been doing, in black and white. Then let them come back and go to work, and work in a manner that will satisfy their constituents and themselves as legislators.

Mr. Murray—I rise to a privileged question. I am opposed to the members coming here in that manner. They won't do it anyhow. They could come to Mr. Davidson and ask him to reconsider his motion so as to allow them to come back, but few did it. I know that these members won't come back any more for that resolution than they would come and ask Mr. Davidson. I say they shall not come in. They have, as Mr. Carr says, violated their oaths, and I will always vote to keep them out of this House unless they come back to Mr. Davidson and say they were wrong. I am not in favor of this committee.

Mr Carr—We want to get their wrongs down in black and white. The House can take what action it chooses.

Mr. Huston—According to the rule of the House, this thing should be referred to the Committee on Elections.

Mr. Murray—I have not given up the floor yet, Mr. Speaker. These men think they can come here at any time. They told me so this morning. One of them said, "All I have got to do is to go to the House and say, Mr Vigers, call my name; he will do it, and I will take my seat." I do not believe in letting them in. You say, "let them explain to their constituents." I say they do not care for their constituents. Men who violate their oath as they have done do not care for their constituents. I tell you, Mr. Speaker, I am in favor of keeping them out until the last of the session.

Mr. Stamps—I think that this resolution should be acted upon very carefully. This expelling members and then receiving them should receive the careful attention of every member of this House.

Mr. Carr—I desire to make a correction. This committee reports to the House, and the House can take what action it chooses.

Mr. Stamps—I understand the resolution, but I do not desire to vote to keep out any member that is entitled to a seat on this floor. Revolutionary times are passed, and the least we say on this question the better. These members know they have violated the rules of the House, yet I am willing they should come back and perform the duties the people expect of them, and act as members of the House of Representatives. Now, this resolution may injure this House of Representatives, and I am not in favor of it. My advice is not to pay any attention to them at all, and if they want to come back let them come.

Mr. Oplatek—I do not think that this resolution is necessary. They know what is the position of this House, and they will come in here just when the appropriation bill is passed, and want their full per diem and mileage. I do object decidedly to their receiving it. These men care nothing for their constituents. All they care for is to incite riot and bloodshed. They fail in that, and then come here and want to be paid for it. I do object, Mr. Speaker.

After some further unimportant business, the House adjourned.

The following is the happy manner in which obituaries are written for the Kansas papers: "A youth, during a political discussion, knocked the butt of his gun on the floor to emphasize an argument. His fellow debaters attended his funeral in a body."

INSURANCE.

NEW ORLEANS MUTUAL
INSURANCE ASSOCIATION,
Office, No. 10 Exchange Alley.

SECOND ANNUAL STATEMENT.

In conformity with their charter the Insurance Association publish the following statement:

Premiums for the year ending thirty-first of December, 1871:

Fire premiums	$368,660 60	
Marine premiums	233,217 14	
River premiums	158,891 38—	$760,769 32
Less unearned premiums	148,486 11	
Less returned premiums	5,085 96	
Less rebate premiums	6,033 73—	159,605 85
Net earned premiums		$601,163 47
Fire losses	$71,788 52	
Marine losses	146,154 39	
River losses	69,833 56	
Total	$287,776 47	
Reinsurances	11,876 66	
Internal revenue, State and city taxes	11,211 22	
General expenses	45,274 39	
Profits and loss	11,607 62	
Reserved for unadjusted losses	49,500 00	
Total	$417,246 36	
Less interest	42,983 67—	$374,262 69
Net profits		$226,900 78

ASSETS.

Capital stock notes	$678,090 23
Notes and bills receivable	219,336 89
Stocks and bonds	62,642 50
Premiums in course of collection	53,662 66
Real estate	40,309 00
Cash on hand	190,394 03
Funds in Europe	1,379 39
Total	$1,245,814 03

The above statement is a correct transcript from the books of the Insurance Association.

C. CAVAROC, President.
G. LANAUX, Secretary.

STATE OF LOUISIANA, Parish of Orleans, City of New Orleans.

Sworn to and subscribed before me, this sixth day of January, 1872.

G. LE GARDEUR, Jr.,
Notary Public.

At a special meeting of the Board of Directors, held on the sixth of January, 1872, it was resolved that an interest of TEN PER CENT per annum on the capital paid in, and a dividend of THIRTY-FIVE PER CENT on the net earned participating premiums, be paid on and after the fifteenth of February next, in cash, to stockholders who have paid their subscription in full, and by credits on stock notes of subscribers, on which balances are due.

It was furthermore resolved, that stockholders will have to pay, on the fifteenth of February next, all balances then remaining due on their stock notes.

C. CAVAROC, President.
G. LANAUX, Secretary.

DIRECTORS:

Charles Cavaroc, Chs. de Ruyter, A. Richard, Leon Haas, Jr., E. F. Mioton, W. Agar, S. Cambon, Arthur Poincy, J. Egli, P. S. Wiltz, Leon Queyrouze, A. Thibaut.

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