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.

Forty-third Day's Session.

SENATE CHAMBER, Tuesday, February 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, Coupland, Daigle, Gallup, Harris, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Lynch, McMillen, Noland, O'Hara, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—31.

Prayer by the Chaplain.

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

After being corrected, they were approved.

SPECIAL ORDER OF THE DAY.

Substitute for Senate bills Nos. 275 and 276, to be entitled an act providing for the election of a State Printer, and defining the duties and fixing the compensation of the same, and providing for State, judicial, parochial and municipal printing, and for printing the decisions of the Supreme Court.

A motion being made to postpone the special order of the day until the reports of committees were received, the Senate refused the same by the following vote, on a call of the yeas and nays:

Yeas—Anderson, Barber, Butler, Harris, Kelso, Noland, O'Hara, Swords, Todd—9.

Nays—Antoine, Blackman, Bowman, Coupland, Daigle, Gallup, Herwig, Ingraham, Jenks, Lewis, Lynch, McMillen, Ray, Sypher, Thomas, Thompson, Twitchell, Whitney, Wilcox—19.

On motion of Mr. Harris, the special order was then postponed until 7:30 P. M., this day, on a call of the yeas and nays, by the following vote:

Yeas—Anderson, Antoine, Barber, Butler, Gallup, Harris, Hunsaker, Ingraham, Jenks, Kelso, Noland, O'Hara, Swords, Todd, Twitchell—15.

Nays—Blackman, Bowman, Coupland, Daigle, Herwig, Lewis, Lynch, McMillen, Ray, Sypher, Thomas, Thompson, Whitney, Wilcox—14.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, February 20, 1872.

To the Honorable President and Members of the Senate:

I am directed to inform the Senate that the House has adopted the report of the committee of conference, appointed to consider House bill No. 286, known as the city school bill, and to ask the concurrence of the Senate in the following House bills, to wit:

House bill No. 306, an act entitled an act to amend sections 3373 and 3374 of the Revised Statutes of 1870.

House bill No. 310, an act to incorporate the Israelite Benevolent Association of the city of New Orleans, in the State of Louisiana.

House bill No. 312, an act for the relief of the taxpayers in the town of Natchitoches.

House bill No. 313, an act relative to pawnbroking, and for the regulation and control of the same throughout the State.

House bill No. 314, an act to organize the Wake Band Benevolent Society of the parish of St. Charles.

House bill No. 322, an act to provide for draining and reclaiming swamp lands in the parish of Iberia.

House bill No. 323, an act to prevent the carrying or drawing of concealed weapons.

House bill No. 324, an act repealing an act relative to the Louisiana Warehouse Company.

House bill No. 329, an act to create the parish of St. Joseph, and to provide for the organization of the same.

House bill No. 332, an act to incorporate the town of Natchitoches.

House bill No. 393, an act to repeal an act incorporating the Right Bank Railroad and Freight Transferring Company, and to give it the powers necessary to its operation, approved March 9, 1869.

House bill No. 418, an act entitled an act directing the Alexandria, Homer and Fulton Railroad Company to commence work on their road.

House bill No. 419, an act entitled an act directing the Louisiana and Arkansas Railroad Company to commence work on their road.

House bill No. 420, an act entitled an act directing the Arkansas and Delta Railroad Company to commence work on their road.

House bill No. 30, an act to authorize Mrs. Stella Bradley Hunter to change her name.

House bill No. 68, an act entitled an act to re-incorporate the town of Columbia, in the parish of Caldwell, Louisiana, and to amend and re-enact section four of an act entitled an act to incorporate the town of Columbia, in the parish of Caldwell, Louisiana, approved March 16, 1867.

House bill No. 335, an act to amend and re-enact sections one, two, three, seven, the ninth paragraph of section nine, and the addition of a twenty-first paragraph to section nine, and sections nineteen, twenty, twenty-one and twenty-eight of the act entitled "An act to incorporate the city of Monroe, to fix the boundaries, to provide for the government and create a recorder's office for the same," approved May 4, 1871, and after the first day of January, 1873, to exempt all property, real and personal, and all persons, firms and corporations within the corporate limits of the city of Monroe from parish taxes and licenses, and to provide for the payment of costs and fees in criminal cases originating within said corporate limits.

House bill No. 337, an act to fix the terms of the district courts of the Third Judicial District of the State of Louisiana.

House bill No. 343, an act relative to attaching a part of the parish of Richland to the parish of Caldwell, and for other purposes.

House bill No. 355, an act to provide for the maintenance and support of poor persons in the several parishes of the State, by the enforcement of article 126 of the constitution.

House bill No. 357, a bill to be entitled an act to incorporate the town of Waterproof, in the parish of Tensas.

House bill No. 359, an act entitled an act to incorporate the Progressive Literary Debating Society of New Orleans.

House bill No. 377, an act to incorporate the town of Evergreen, in the parish of Avoyelles, defining the boundaries thereof, and for other purposes.

House bill No. 169, an act for the relief of the heirs of the late J. H. Wisner, sheriff of Ouachita parish, and for the relief of his deputy, Henry G. Dobson.

House bill No. 179, an act for the relief of Mrs. P. J. Normand, and for other purposes.

House bill No. 257, an act to incorporate the St. Paul Methodist Episcopal Church Association of Shreveport, Louisiana.

House bill No. 400, an act to incorporate the Amis Sinceres Benevolent Association of New Orleans, Louisiana.

House bill No. 404, an act to repeal section seven of an act entitled "An act to renew the corporation of the town of Farmerville, and to provide for the government of the same."

House bill No. 385, an act to amend an act to incorporate the town of Ville Platte, in the parish of St. Landry, approved March 16, 1858.

House bill No. 390, an act to incorporate the Laborers' Protective, Benevolent and Mutual Aid Association of New Orleans, Louisiana.

House bill No. 20, an act to regulate loans.

House bill No. 363, an act to incorporate the Young Men's Christian Association of New Orleans, and to exempt the property of the same from taxation.

House bill No. 138, an act to allow William Schaeffer to change his name to William Schwan, and authorizing Valentine Schwan, of St. Mary parish, to adopt him as son and heir.

House bill No. 149, an act to change and fix the time for holding the district court of the parish of West Baton Rouge in the Fifth Judicial District of the State of Louisiana, and for other purposes.

House bill No. 364, an act to be entitled an act to change the boundaries of the parishes of Cameron, St. Landry, Calcasieu and Vermilion; to provide for the election of police jurors, the transfer of certain records, and the collection of certain taxes in said parishes; to fix the seat of justice of the parish of Cameron, and for other purposes.

House bill No. 386, an act to provide the qualifications and define the duties of retail dealers in foreign and domestic distilled spirits, wines or malt liquors in the various parishes of the State.

Respectfully,
A. C. WHITNEY,
Assistant Clerk House of Representatives.

MEMORIALS AND PETITIONS.

Presented by Mr. Todd:

A petition of the Zion Travelers' Association praying for relief.

Received and referred to the Committee on Finance.

Presented by Mr. McMillen:

The following memorial, which was received, ordered printed in the journal, excluding the signatures, and referred to the Committee on Education:

To the Honorable General Assembly of the State of Louisiana:

We, the undersigned citizens of the State of Louisiana, believing that the public interests would be best subserved by recognizing the State University as the Agricultural and Mechanical College of Louisiana, and by granting to that institution the whole of the fund accruing from the sale of the lands donated by Congress for the establishing of said college, do hereby most respectfully petition the honorable the Senate and House of Representatives of the State of Louisiana in General Assembly convened, to further our views by an enactment to that effect as early as practicable.

Signed by 326 citizens.

REPORTS OF COMMITTEES.

Mr. Hunsaker, from the Judiciary Committee, reported favorably on Senate bill No. 371, requiring the transfer of cases in which the city of New Orleans is interested from the Sixth District Court for the parish of Orleans to other District Courts of that parish.

Mr. Barber, from the Committee on Drainage, Canals and Inland Navigation, reported a substitute for Senate bill No. 339, substitute to be entitled an act to authorize A. T. Janin, John G. McLean, Charles Lester, W. C. Scott, C. A. Jones, Daniel Malone, J. E. Stephens and their associates and successors to render navigable Bayou Saline and its tributaries in the State of Louisiana.

Mr. Barber, from the Committee on Militia, reported, with amendments, Senate bill No. 324 (militia bill).

Mr. Kelso, from the Committee on Education, submitted the following reports on Senate bills Nos. 283 and 344:

To the Honorable President and members of the Senate:

Your Committee on Public Education beg leave to report that they have had under consideration Senate bill No. 283, entitled an act providing for the organization and maintenance of public schools throughout the State of Louisiana, etc., introduced by Hon. John Ray, of Ouachita.

Also, Senate bill No. 344, entitled an act to amend and re-enact section fifty of act No. 6, entitled "An act to regulate public education in the State of Louisiana and the city of New Orleans," etc., introduced by Hon. S. M. Thomas, of Bossier.

In regard to the first of these bills, your committee report unfavorably. The existing school law having been in operation less than nine months, and having proved efficient in its operation, and being satisfactory to those intrusted with the educational interests of the State, we deem a change at this time impolitic and unnecessary.

The bill under consideration would, if adopted, abolish the system of superintendency under which the public schools of the State have more than doubled in number in the space of eight months, and would substitute a system of the efficiency of which no previous experience authorizes a favorable judgment.

In regard to the second of the above named bills (No. 344), your committee also report unfavorably, everything that is proposed therein being provided for in the section to which it relates. The amendment simply omits the last paragraph of the original section, in which provision is made for model schools, and the effect of the adoption of the bill would be to exclude that class of schools from the system of public education in this State.

For the reasons thus briefly expressed, your committe report unfavorably upon the two bills above named.

GEORGE Y. KELSO,
Chairman.

A. E. BARBER,
C. C. ANTOINE,
A. B. HARRIS,
THOMAS C. ANDERSON.

In addition to the report submitted above, it is my opinion that owing to a want of time on the part of the committee to fully investigate the practical working of the present system of public education in the State, it would be unwise at the present time to adopt a bill or change that would have a tendency to interfere with the work already accomplished.

I favor a more thorough investigation, and more economy, especially in the country parishes, which can be effected at an early day by appropriate legislation.

S. M. THOMAS.

Mr. Twitchell, from the Committee on Corporations and Parochial Affairs, reported favorably on the following entitled Senate bills:

Senate bill No. 305, to amend the charter of the National Steam Navigation Company, etc.,

Senate bill No. 292, to grant to S. M. S. Barlow and Samuel Simpson, their associates, successors and assigns, an exclusive right to lay cables for purposes of telegraphing from this State to one or more places on the European continent or to Great Britain.

Senate bill No. 323, to incorporate the New Orleans Building Association, etc.

Mr. Swords, from the Committee on Metropolitan Police, reported a substitute for Senate bills Nos. 345, 346 and 297, the substitute to be entitled an act to amend and re-enact sections two, three, four, six, twenty-seven, thirty-four, forty-seven, forty-eight and forty-nine of an act to amend and re-enact an act to establish a Metropolitan Police District, and to provide for the government thereof, approved March 8, 1869, and to provide for the reduction of the Metropolitan Police force, which was ordered printed and made the special order for Thursday evening, the twenty-second instant, at half-past seven o'clock.

By Mr. Noland:

COMMITTEE ON ENROLLMENT, February 20, 1872.

To the Honorable President and Members of the Senate:

Your Committee on Enrollment and Engrossment beg leave to report as duly engrossed Senate bill No. 294, an act to amend and re-enact section two of an act entitled "An act to form a new parish, to be called the parish of Red River."

THOMAS H. NOLAND,
Chairman.

NOTICES OF BILLS.

By Mr. Ray:

Of a bill to be entitled an act for the relief of J. J. Monette.

By Mr. Todd:

Of a bill to be entitled an act to amend an act relative to police jurors, parish of Jefferson.

By Mr. McMillen:

Of a bill to be entitled and act to create the parish of Macon, defining the boundaries thereof, and providing the method of filling the various offices of said parish.

By Mr. O'Hara:

Of a bill to be entitled "An act prohibiting the sale of spirituous liquors on the Sabbath day."

INTRODUCTION OF BILLS ACCORDING TO PREVIOUS NOTICE.

By Mr. Antoine:

Senate bill No. 384, to dispose of the proceeds of lands and land scrip donated to the State of Louisiana, by the act of the Congress of the United States, approved July 2, 1862, entitled an act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.

Passed first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill put on its second reading, and referred to the Committee on Education.

By Mr. Twitchell:

A bill to be entitled an act to incorporate the town of Springville, in the parish of Red River, and to provide for the government and police of the same.

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 the Committee on Corporations and Parochial Affairs.

A bill to be entitled an act to release the damages for the non-payment of taxes due previous to the year 1869, and to authorize warrants to be received in payment thereof.

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 the Committee on Judiciary.

The following bills were introduced, without previous notice, by unanimous consent:

By Mr. McMillen:

Senate bill No. 381, to be entitled an act making Shrove Tuesday, or Mardi Gras, a legal holiday.

Passed its first reading.

By Mr. Jenks:

A bill to be entitled an act to establish a steam ferry across the Mississippi river at Bayou Sara.

Passed its first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill read its second time and considered engrossed for its third reading.

The constitutional rule was further suspended by a four-fifths affirmative vote, the bill read its third and last time, and finally adopted with its title.

RESOLUTIONS.

Resolved, That the President of the Senate be and he is hereby authorized and instructed to contract for the publication, in pamphlet form, of five hundred copies each of the debates of the last and present sessions of the Senate, for the use of members; to be printed in type known as "long primer," solid, the price thereof not to exceed $2 75 per page, to be paid out of the contingent fund in the Senate; the same to be revised, prepared and properly indexed as to subjects and Senators by the official reporter of the Senate, for which he shall receive thirty days' pay; said debates to be so republished within thirty days after the adjournment of the General Assembly.

Lies over.

Mr. Sypher moved to suspend the rules to take up Senate bill No. 348, to be entitled an act to amend an act entitled "An act to incorporate the Pontchartrain Railroad Company," approved on the twentieth of January, 1830, and the several acts amendatory thereof; also to enable the said Pontchartrain Railroad Company to sell to Charles Morgan, his heirs, successors and assigns, that portion of the said Pontchartrain railroad, with its tracks, depots, appurtenances and franchises lying between Girod street and Elysian Fields, and to authorize said Charles Morgan to incorporate the same with the road now known as Morgan's Louisiana and Texas railroad, formerly known as the New Orleans, Opelousas and Great Western Railroad; and for the purpose of providing continuous and unbroken communication between the same by ferry transportation.

On call of the yeas and nays, the rules were suspended by the following vote:

Yeas—Anderson, Antoine, Coupland, Daigle, Gallup, Harris, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Noland, O'Hara, Ray, Sypher, Thomas, Thompson, Todd, Wilcox—19.

Nays—Barber, Blackman, Bowman, Lynch, McMillen, Pinchback, Smith, Twitchell, Whitney—9.

Mr. McMillen moved for the Senate to go into a committee of the whole to consider the bill.

Mr. Noland moved to lay the motion on the table.

Adopted.

Mr. Harris moved to consider the bill section by section.

Adopted.

Section one of the bill was then read.

Mr. McMillen moved to strike out the following words: "Said sale to be for the sum of $250,000, payable by said purchaser on such terms and conditions as the parties may agree upon."

Pending discussion, Mr. McMillen moved to indefinitely postpone the consideration of the bill.

On call of the yeas and nays, the Senate refused to indefinitely postpone the bill by the following vote:

Yeas—Barber, Lewis, Lynch, McMillen, Pinchback, Smith, Thomas, Twitchell, Whitney—9.

Nays—Anderson, Blackman, Bowman, Butler, Coupland, Daigle, Gallup, Harris, Herwig, Hunsaker, Jenks, Kelso, Noland, Ray, Swords, Sypher, Thompson, Todd, Wilcox—19.

Mr. Sypher moved to lay the motion of Mr. McMillen to strike out on the table.

Mr. Blackman moved to postpone the bill until half-past seven o'clock this evening.

Mr. Whitney moved to postpone until half-past seven o'clock to-morrow (Wednesday) evening.

On a call of the yeas and nays, the Senate refused to postpone the bill by the following vote:

Yeas—Anderson, Kelso, Lewis, Lynch, McMillen, Pinchback, Ray, Smith, Thomas, Twitchell, Whitney—11.

Nays—Barber, Blackman, Bowman, Butler, Coupland, Daigle, Gallup, Harris, Herwig, Hunsaker, Jenks, Noland, Swords, Sypher, Thompson, Todd, Wilcox—17.

Mr. Whitney moved to postpone the consideration of the bill till to-morrow afternoon, and to be the special order of the day at one o'clock.

On call of the yeas and nays, the Senate refused to postpone by the following vote:

Yeas—Lewis, Lynch, McMillen, O'Hara, Pinchback, Ray, Smith, Swords, Thomas, Twitchell, Whitney—11.

Nays—Anderson, Barber, Blackman, Bowman, Butler, Coupland, Daigle, Gallup, Harris, Herwig, Hunsaker, Jenks, Kelso, Noland, Sypher, Thompson, Todd, Wilcox—18.

The question then recurred on the motion to postpone until this (Tuesday) evening at half-past seven o'clock.

Motion to postpone was adopted.

Mr. McMillan moved to take up substitute for Senate bill No. 273, to be entitled an act to amend and re-enact sections five, six, eleven, twelve, thirteen, fourteen, twenty-one, twenty-two, twenty-eight, twenty-nine, thirty-five, thirty-six, thirty-nine, forty-one, fifty-three, fifty-nine, sixty, sixty-nine, seventy, seventy-one, seventy-three, eighty-two; and to repeal sections twenty-three, twenty-seven, fifty-one, fifty-two, fifty-four, fifty-five and fifty-seven of an act entitled "An act to regulate the conduct and to maintain the freedom and purity of elections; to prescribe the mode of making, and designate the officers who shall make the returns thereof; to prevent fraud, violence, intimidation, riot, tumult, bribery or corruption at elections, or at any registration or revision of registration; to limit the powers and duties of the Sheriffs of the parishes of Orleans and Jefferson; to prescribe the powers and duties of the Board and officers of the Metropolitan Police in reference to elections; to prescribe the mode of entering on the rolls of the Senate and House of Representatives the names of members; to empower the Governor to preserve peace and order; to enforce the laws and to declare martial law during registration and elections; to limit the powers and duties of the Mayors of the cities of New Orleans and Jefferson with regard to elections; to prohibit district and parish judges from issuing certain writs to commissioners of election; to make an appropriation for the expenses of the next revision of the registration and of the next election, and to enforce article 103 of the constitution," approved March 16, 1870.

On a call of the yeas and nays, the motion to take up was adopted by the following vote:

Yeas—Anderson, Barber, Blackman, Bowman, Butler, Coupland, Daigle, Herwig, Jenks, Kelso, Lewis, Lynch, McMillen, Pinchback, Ray, Smith, Swords, Thomas, Thompson, Wilcox—20.

Nays—Gallup, Harris, Hunsaker, Noland, O'Hara, Sypher, Todd, Twitchell, Whitney—9.

The bill was then taken up.

Mr. McMillen moved to postpone the further consideration of the bill until to-morrow (Wednesday) at 1 P. M.

Mr. Smith moved to lay the motion to postpone on the table.

On call of the yeas and nays, the Senate refused by the following vote:

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

Nays—Anderson, Barber, Butler, Gallup, Harris, Hunsaker, Jenks, Lynch, McMillen, Noland, O'Hara, Swords, Todd, Twitchell, Whitney—15.

The question then recurring on the motion to postpone till to-morrow at one o'clock, on call of the yeas and nays the motion was adopted by the following vote:

Yeas—Anderson, Barber, Butler, Harris, Hunsaker, Jenks, Kelso, Lynch, McMillen, Noland, O'Hara, Pinchback, Swords, Todd, Twitchell, Whitney—16.

Nays—Blackman, Bowman, Coupland, Daigle, Herwig, Lewis, Ray, Smith, Thomas, Thompson, Wilcox—11.

Mr. O'Hara moved to take up Senate joint resolution No. 21, to amend the constitution of the State.

Resolution on second reading.

The resolution was ordered printed and fixed for Saturday evening after roll call.

[Mr. Kelso in the chair.]

ORDER OF THE DAY—HOUSE BILLS ON FIRST READING.

House bill No. 317 an act to limit and define the duties and powers, fees and emoluments of the Auditor of Public Accounts and other ministerial officers of the State and to prohibit them from instituting or defending actions, suits, writs or other process for or against them, or any of them, or for or against the State, and from employing counsel, and increasing costs of court, attorneys' fees, and to define the duties and powers of the Governor, the Attorney General, the district attorneys and the courts of the State in certain cases, was taken up and 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 the Committee on Judiciary.

House bill No. 369, to be entitled an act to incorporate the Comique Varietie Association of New Orleans, was taken up and passed its first reading.

On division, the Senate refused to suspend the constitutional rule to put the bill on its second reading.

Mr. Harris moved to take up House bill No. 369.

Mr. Blackman raised the point of order that the Senate, having refused to suspend the constitutional rule to put the bill on its second reading, the motion was not in order.

The presiding officer sustained the point of order.

Mr. Harris then raised the point of order that it was competent for the Senate to take up the bill to fix the same to a certain day.

The President held the point well taken.

On a call of the yeas and nays, the motion of Mr. Harris to take up the bill and fix it for the special order for Friday next, at 7:30 P. M., was adopted by the following vote:

Yeas—Bowman, Butler, Gallup, Harris, Herwig, Hunsaker, Jenks, Lewis, Lynch, McMillen, Ray, Smith, Swords, Sypher, Todd, Twitchell, Wilcox—17.

Nays—Blackman, Coupland, Daigle, Noland, O'Hara, Pinchback, Thomas, Thompson—8.

BILLS CALLED UP OUT OF ORDER.

By Mr. Ray:

Senate bill No. 351, to be entitled an act creating a levee district between the Ouachita river and Bayou Macon, providing a commission to conduct the affairs of the same, authorizing the sale of swamp and overflowed lands within said district, the funds to be appropriated to leveeing and draining therein, and authorizing the issue of land warrants locatable within said district, to be used in contracting for work therein, and levying a tax on the property within said district to aid in the work, and providing how contracts shall be let.

On motion of Mr. Ray the usual number of copies were ordered printed.

By Mr. Thompson:

Senate bill No. 338, to be entitled an act to extend the time of paying taxes and licenses due by the taxpayers of the parish of Tangipahoa, and to remit penalties, and providing for the same.

Reported favorably with amendments by Committee on Finance.

On motion of Mr. Thompson the following amendments were read and adopted:

1. Strike out the first section, which is merely a preamble.

2. Add to section two, the following: "And provided, further, that for delinquency herein remitted shall not apply to any penalty for delinquency incurred or due prior to the first day of January, A. D. 1871."

3. In section five strike out the word "postponed," and after the word "suspended," insert the words "in said parish."

The bill was then adopted on its second reading.

The constitutional rule was further suspended by a four-fifths affirmative vote, the bill read its third and last time, and finally adopted with its title.

House bill No. 412, to be entitled an act to amend the second section of an act entitled "An act incorporating the Grand Lodge of the State of Louisiana, and for other purposes," approved March 18, 1816.

Passed its first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill put on its second reading, and adopted on second reading.

The constitutional rule was further suspended by a four-fifths affirmative vote, the bill read its third and last time, and finally adopted with its title.

On motion of Mr. Lynch, House bill No. 398, to be entitled an act to establish the Underwriters' Association of New Orleans, was taken up, on call of the yeas and nays, by the following vote:

Yeas—Anderson, Blackman, Bowman, Butler, Coupland, Daigle, Herwig, Hunsaker, Lewis, Lynch, McMillen, O'Hara, Pinchback, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Wilcox—21.

Nays—Gallup, Harris, Jenks, Twitchell—4.

The bill was read, and adopted on second reading.

The constitutional rule was further suspended by a four-fifths affirmative vote, the bill read its third and last time, and finally adopted with its title.

House bills on first reading was resumed.

Mr. Ray called up House bill No. 353, to be entitled an act to fix the terms of the district courts in the Fourteenth Judicial District, designating certain weeks of said term for trial of civil cases and certain weeks for the trial of criminal cases, and providing for the drawing and summoning of juries for said terms.

Passed its first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill put on its second reading, and adopted on second reading.

The constitutional rule was further suspended by a four-fifths affirmative vote, the bill read its third and last time, and finally adopted with its title.

Mr. Coupland called up House bill No. 359, to be entitled an act to incorporate the Progressive Literary Debating Society of New Orleans.

Passed its first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill put on its second reading, and adopted on second reading.

The constitutional rule was further suspended by a four-fifths affirmative vote, bill read its third and last time, and finally adopted with its title.

Mr. Thomas moved to take up Senate bill No. 267, to be entitled an act to authorize the New Orleans and Vicksburg Railroad Company to commence the construction of their road at the town of Pontchatoula; to reduce the liability of the State of Louisiana by authorizing said company to issue first mortgage bonds, and to construct and employ, or cause to be constructed or employed, steamboats or other vessels, and telegraph lines along the line of railroad of said company.

On a call of the yeas and nays, the Senate refused to suspend the rules to take up the bill by the following vote:

Yeas—Anderson, Blackman, Daigle, Herwig, Jenks, Kelso, McMillen, Ray, Smith, Swords, Sypher, Thomas, Thompson, Wilcox—14.

Nays—Barber, Butler, Harris, Lynch, Noland, O'Hara, Pinchback, Todd, Whitney—9.

Mr. Todd moved for a suspension of the rules to take up Senate bill No. 336, to be entitled an act to provide for the construction of a shell road in the parisl of Jefferson by the police jury of the left bank of said parish, and for the payment thereof, for keeping the same in repair, and to authorize said police jury to levy a special tax for said purpose.

On a call of the yeas and nays the bill was ordered to be taken up by the following vote:

Yeas—Anderson, Butler, Coupland, Gallup, Harris, Herwig, Jenks, Kelso, Lynch, McMillen, Noland, O'Hara, Ray, Smith, Swords, Sypher, Thompson, Twitchell, Todd, Whitney—20.

Nays—Blackman, Daigle, Thomas, Wilcox—4.

And read a second time.

Mr. Blackman moved to recommit the bill.

Mr. Todd moved to lay the motion to recommit on the table.

On a call of the yeas and nays, the motion to recommit was tabled by the following vote:

Yeas—Anderson, Butler, Coupland, Gallup, Herwig, Hunsaker, Jenks, Kelso, Noland, O'Hara, Ray, Smith, Swords, Sypher, Thomas, Todd, Twitchell, Whitney—18.

Nays—Blackman, Bowman, Daigle, Lynch, McMillen, Thomas, Wilcox—9.

[Mr. Jenks in the chair.]

Mr. Todd moved to adopt the bill on second reading, and that it be considered engrossed for third reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, and the bill read its third time.

Mr. Blackman called for an executive session.

The Senate then went into executive session.

The executive session having been raised, Mr. McMillen moved to take a recess until half-past seven o'clock P. M.

On call of the yeas and nays, the motion to take a recess until half past seven o'clock was adopted by the following vote

Yeas—Anderson, Barber, Blackman, Bowman, Butler, Daigle, Herwig, Jenks, Kelso, Lewis, McMillen, Noland, O'Hara, Smith, Thomas, Twitchell—16.

Nays—Coupland, Gallup, Hunsaker, Lynch, Ray, Swords, Sypher, Thompson, Todd, Wilcox—10.

Evening Session.

SENATE CHAMBER, Tuesday, Febuary 20, 1872.

The Senate met pursuant to order of recess, at 7:30 P. M.

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, Jenks, Kelso, Lewis, Lynch, McMillen, O'Hara, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—30.

Mr. Todd, by unanimous consent, called up Senate bill No. 336, it being on its third reading.

The bill was finally adopted with its title.

SPECIAL ORDER OF THE DAY.

Senate bill No. 149, to be entitled an act to incorporate the New Orleans, Lafourche and Terrebonne Railroad Company, and to facilitate and expedite the same.

Mr. Hunsaker moved that the bill be fixed for the special order of the day for Saturday next at one o'clock.

Adopted.

Senate bill No. 348, to be entitled an act to amend an act entitled "An act to incorporate the Pontchartrain Railroad Company," approved on the twentieth of January, 1830, and the several acts amendatory thereof; also to enable the said Pontchartrain Railroad Company to sell to Charles Morgan, his heirs, successors and assigns, that portion of said Pontchartrain railroad, with its tracks, depots, appurtenances and franchises lying between Girod street and Elysian Fields, and to authorize said Charles Morgan to incorporate the same with the road now known as Morgan's Louisiana and Texas railroad, formerly known as the New Orleans, Opelousas and Great Western, and for the purpose of providing continuous and unbroken communication between the same by ferry transportation, was taken up.

Mr. McMillen moved to lay the bill on the table subject to call.

Mr. Blackman desiring to debate, raised the point of order that the question to order to lie on the table subject to call was debatable.

The President held the point not well taken.

Mr. Blackman appealed from the decision of the Chair.

On call of the yeas and nays the decision of the Chair was sustained by the following vote:

Yeas—Anderson, Barber, Butler, Campbell, Harris, Hunsaker, Jenks, Kelso, Lewis, McMillen, Swords, Thomas, Twitchell—14.

Nays—Blackman, Bowman, Daigle, Gallup, Ray, Smith, Sypher, Thompson—8.

The question then recurred on the motion to order to lie on the table.

On a call of the yeas and nays, the motion to order the bill to lie on the table was refused by the following vote, being a tie vote:

Yeas—Anderson, Barber, Butler, Campbell, Harris, Jenks, Kelso, Lewis, McMillen, Pinchback, Swords, Twitchell—12.

Nays—Blackman, Bowman, Daigle, Gallup, Herwig Hunsaker, Ray, Smith, Sypher, Thomas, Thompson, Wilcox—12.

Mr. McMillen moved to postpone the bill until Monday next, at one o'clock.

On call of the yeas and nays, the motion to postpone was adopted by the following vote:

Yeas—Anderson, Antoine, Barber, Butler, Harris, Jenks, Kelso, Lewis, McMillen, Pinchback, Smith, Swords, Todd, Twitchell, Whitney—15.

Nays—Blackman, Bowman, Coupland, Daigle, Gallup, Herwig, Lynch, O'Hara, Ray, Sypher, Thomas, Thompson, Wilcox—13.

Mr. O'Hara moved to take up House bill No. 355, relative to poor houses.

On a call of the yeas and nays the Senate refused to take up the bill:

Yeas—Anderson, Barber, Butler, Gallup, Harris, Lewis, O'Hara, Smith, Swords Sypher, Todd, Twitchell, Whitney—13.

Nays—Antoine, Blackman, Bowman, Coupland, Daigle, Herwig, Jenks, Lynch, McMillen, Pinchback, Ray, Thomas, Thompson, Wilcox—14.

Substitute for Senate bills Nos. 275 and 276, an act providing for the election of a State Printer, and defining the duties and fixing the compensation of the same, and providing for State, judicial, parochial and municipal printing, and for printing the decisions of the Supreme Court, was taken up, and a motion was made that the bill be considered section by section.

Mr. Gallup moved to postpone the bill—to be made the special order of the day for Wednesday next, at half-past seven o'clock.

On call of the yeas and nays, the Senate refused to postpone by the following vote:

Yeas—Gallup—1.

Nays—Anderson, Antoine, Barber, Blackman, Bowman, Butler, Campbell, Coupland, Daigle, Harris, Herwig, Jenks, Kelso, Lewis, Lynch, McMillen, O'Hara, Pinchback, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—28.

The question then recurred on the motion to take up the bill section by section.

The motion was then adopted, the bill taken up, and the first section read and adopted, with the following amendments:

In line sixteen the word "two" was stricken out and the word "one" inserted.

In line six strike out the word "Monday" and insert the word "day."

In line ten strike out "first," and insert the word "each," and strike out the word "each" after the word "of," and insert "the."

The section was then adopted as amended.

Sections two, three, four, five, six, seven and eight were then read and adopted.

Section nine was then read.

Mr. Lynch moved to strike out, in lines four and five, the words "or for the corporation of New Orleans."

Mr. Campbell moved to lay the motion on the table.

On call of the yeas and nays, the Senate refused to order to lie on the table by the following vote:

Yeas—Barber, Campbell, Harris, Hunsaker, Jenks, Kelso, Swords, Todd, Twitchell—9.

Nays—Anderson, Antoine, Blackman, Bowman, Butler, Daigle, Gallup, Herwig, Lewis, Lynch, McMillen, Pinchback, Ray, Smith, Sypher, Thomas, Thompson, Wilcox—18.

The amendment was then adopted, and section adopted as amended.

[Mr. O'Hara in the chair.]

Section ten was then read.

Mr. Smith moved to strike out "three" in line sixty, and insert "two."

Adopted.

Also, in line seventy-eight strike out "one dollar and twenty-five cents," and insert "seventy-five."

Adopted.

Also, in line eighty-two, strike out "one dollar" and insert "seventy-five cents."

Adopted.

The section was then adopted as amended.

Section eleven was then read.

Mr. Lynch moved to strike out the entire section.

Mr. O'Hara moved to lay the motion on the table.

On a call of the yeas and nays, the Senate, by a tie vote, refused to lay the motion on the table.

Yeas—Anderson, Antoine, Barber, Butler, Campbell, Harris, Hunsaker, Jenks, Kelso, O'Hara, Pinchback, Swords, Todd, Twitchell—14.

Nays—Blackman, Coupland, Daigle, Gallup, Herwig, Lewis, Lynch, McMillen, Ray, Smith, Sypher, Thomas, Thompson, Wilcox—14.

Mr. O'Hara moved to indefinitely postpone the motion to strike out.

Mr. Lynch called the previous question.

The President announced that the previous question was the motion to strike out.

Mr. Campbell raised the point of order that the motion was to indefinitely postpone the motion to strike out.

The President decided point not well taken, that the motion to indefinitely postpone a motion was not in order.

On call of the yeas and nays, the Senate refused to order the main question by the following vote:

Yeas—Antoine, Blackman, Bowman, Daigle, Herwig, Jenks, Lewis, McMillen, Sypher, Thomas, Thompson, Wilcox—12.

Nays—Anderson, Barber, Butler, Campbell, Coupland, Gallup, Harris, Hunsaker, Kelso, Lynch, O'Hara, Pinchback, Ray, Smith, Swords, Todd, Twitchell, Whitney—18.

Mr. Barber moved that the Senate adjourn until Wednesday, at twelve o'clock M.

Adopted.

The President then announced that the Senate stood adjourned until Wednesday, the twenty-first 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.

Forty-First Day—Evening Session.

HOUSE OF REPRESENTATIVES, Tuesday, February 20, 1872.

The House met pursuant to adjournment.

Speaker Brewster in the chair.

Mr. Thompson, of St. Tammany, moved that the calling of the roll be dispensed with, and in consequence of there being no quorum present, that the House do now adjourn untill to-morrow at twelve o clock M.

Carried.

The House was declared adjourned until twelve o'clock M., to-morrow.

[Seven o'clock.]

The House assembled and was called to order.

Speaker Brewster in the chair.

The Speaker stated that the House had met and adjourned at half-past six o'clock P. M., but as it seemed to be the general opinion among the members that it was not in accordance with the rules to adjourn the House without calling the roll, and as great dissatisfaction was caused by that action, he concluded to call them together again and take the sense of the House upon the subject.

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

Speaker Brewster, and Messrs. Abel, Antoine, Barker, Barrett, Belot, Bentley, Blunt, Broussard, Brown, Bryan, Buckingham, Butler, Chachere, Cochrane, Darby, Darinsburg, Davidson, Davis, Demas, Dewees, Deslonde, Durio, Faulkner, Fontelieu, Garstkamp, P.