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OFFICIAL JOURNAL OF THE UNITED STATES

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OF THE

PROCEEDINGS OF THE SENATE

SECOND SESSION

OF THE

SECOND GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA.

Forty-fifth Day's Session.

SENATE CHAMBER, Thursday, February 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, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—32.

Prayer by the Chaplain.

Reading of the minutes of the previous day's session was dispensed with. for the time being, they not having been received from the State Printer.

Mr. Coupland moved that, inasmuch as this was Washington's birthday, the Senate do now adjourn until to-morrow at 12 M.

Which the Senate refused, on a call of the yeas and nays, by the following vote:

Yeas—Antoine, Coupland, Herwig, Sypher, Swords, Whitney—6.

Nays—Barber, Blackman, Daigle, Gallup, Ingraham, Kelso, McMillen, O'Hara, Ray, Thomas, Thompson, Todd, Twitchell, Wilcox—14.

MORNING BUSINESS—REPORTS OF COMMITTEES.

Mr. Gallup, from the Committee on Railroads, reported favorably on Senate bill No. 378, to compel the New Orleans and Carrollton Railroad Company to lower the present track of their road; to establish the grade of the road, and to authorize and regulate certain judicial proceedings in relation thereto.

COMMITTEE ON ENROLLMENT, February 22, 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. 348, an act to amend an act entitled "An act to incorporate the Pontchartrain Railroad Company," approved on the twentieth 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 railroad, and for the purpose of providing continuous and unbroken communication between the same by ferry transportation.

THOMAS H. NOLAND, Chairman.

COMMITTEE ON ENROLLMENT, February 22, 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. 313, an act to liquidate the indebtedness of the State to J. O. Nixon under his contract of March 22, 1866.

JOHN R. GALLUP, Acting Chairman.

NOTICES OF BILLS.

By Mr. Jenks:

Of a bill to be entitled an act to authorize the North Louisiana and Texas Railroad Company to substitute stock of said company instead of second mortgage in favor of the State, and to release the said company from other liabilites to the State.

By Mr. Thompson:

Of a bill to incorporate the John Gough Temperance Society, St. Helena parish, Louisiana.

By Mr. Twitchell:

Of a bill for the relief of H. C. Myers, register United States land office at Natchitoches.

By Mr. Thomas:

Of a bill for the relief of L. C. Raspberry.

By Mr. Gallup:

Of a bill for the relief of the heirs of John Lardlaw.

INTRODUCTION OF BILLS ACCORDING TO NOTICE.

By Mr. McMillen:

A bill (No. 386) to be entitled an act to create the parish of Macon, defining the boundaries thereof, and providing the method of filling the various offices of said parish.

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.

By Mr. Todd:

A bill (No. 387) to be entitled an act amending an act re-organizing the police juries of this State, prescribing the number thereof and the mode of election, and fixing their duties and compensation.

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.

By Mr. Ray:

A bill (No. 388) to be entitled and act for for the relief of J. J. Monette.

Passed its first reading.

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

By Mr. Ingraham:

A bill (No. 389) to be entitled an act to incorporate the Dunn Monumental and Tomb Association of Louisiana.

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.

By Mr. O'Hara:

A bill (No. 390) to be entitled an act prohibiting the sale of spirituous and malt liquors on the Sabbath, and providing penalties for the violation 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 considered engrossed for a third reading.

Mr. Harris then moved that the bill be referred to the Committee on Retrenchment and Reform.

Mr. O'Hara moved that the motion to refer be ordered to lie on the table.

The Senate refused to table, on a call of the yeas and nays, by the following vote:

Yeas—Antoine, Barber, Blackman, Butler, Herwig, McMillen, O'Hara, Ray, Swords, Todd, Twitchell, Wilcox—12.

Nays—Anderson, Coupland, Daigle, Gallup, Harris, Hunsaker, Ingraham, Jenks, Kelso, Pinchback, Smith, Sypher, Thomas, Thompson—14.

By Mr. Ingraham:

The bill was then referred, in accordance with the motion of Mr. Harris.

A bill (No. 391) to be entitled an act for the relief of Louis Trager, of the parish of Concordia.

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 Claims.

Mr. Todd, by unanimous consent, a joint resolution (No. 26), relative to the collection of State taxes past due for the years 1868, 1869, 1870 and 1871.

Passed its first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the joint resolution put on its second reading, and referred to the Committee on Public Lands and Levees.

RESOLUTIONS.

By Mr. Hunsaker:

Resolved, That the Committee on State Debt be and they are hereby authorized to continue in session after the adjournment of the session, in order to allow them to conclude the duties devolving upon them, provided, the committee shall not receive more than ten days' pay.

Lies over.

By Mr. Ingraham:

Resolved, That a special committee of three members of the Senate be appointed by the President to investigate and report to this body whether any chartered railroad companies in this State, the interest upon whose bonds is paid by the State, have violated their charters. The committtee herein named shall have power to send for persons and papers; provided, further, that the President of the Senate be added to the committee.

By unanimous consent the resolution was taken up for consideration.

After debate, the following amendment was made and adopted; *i. e.:* Add after the words, "have violated their charters," the words, "by refusing or failing to comply with the provisions of article thirteen of the constitution of the State, or with the provisions of sections 456, 457, 458 and 459 of the Revised Statutes of the State."

The resolution as amended was then adopted.

The President appointed as the committee, Messrs. J. H. Ingraham, A. B. Harris and M. H. Twitchell.

REPORTS OF COMMITTEES, ETC., LYING OVER.

Mr. Blackman called up the report of the Judiciary Commmittee, viz:

COMMITTEE ON JUDICIARY, February 7, 1872.

To the Honorable President and Members of the Senate:

The Committee on Judiciary direct me to report back Senate bill No. 280, entitled "An act to apportion the State into Senatorial districts," etc., and to state that, after a careful examination of the constitution of the State, they are of the opinion that said bill is unconstitutional, in this, that the General Assembly, at its session in 1871, passed, in accordance with article twenty-one of the constitution, a bill to apportion the State, into Senatorial districts, etc. Article thirty of the constitution provides: "After an enumeration has been made as directed in the twentieth article, the General Assembly shall not pass any law till an apportionment of representatives in both houses of the General Assembly be made." The committee are of the opinion that the General Assembly are prohibited by the constitution from passing any apportionment bill until after the census of 1875 has been taken, in accordance with article twenty of the constitution. The committee are of the opinion that the passage of this bill would, in effect, declare that the Legislature failed to pass any law on the subject, as required by article thirty of the constitution, and thereby declare all laws passed at the session of 1871, and of the present session, null. They, therefore, recommend that the bill do not pass.

OSCAR F. HUNSAKER, Chairman.

Mr. Harris moved that the subject matter be ordered to lie on the table, which the Senate ordered by the following vote:

Yeas—Barber, Butler, Gallup, Harris, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lynch, McMillen, Noland, Pinchback, Ray, Smith, Sypher, Todd, Twitchell, Whitney, Wilcox—20.

Nays—Antoine, Blackman, Daigle, O'Hara, Thomas, Thompson—6.

The question being raised, by Mr. Blackman, as to whether the motion of Mr. Harris included the bill in its effect, the President ruled that the bill was not before the Senate at that time—that the motion of Mr. Harris only affected the report.

Mr. Thomas called up the concurrent resolution reported by him on yesterday evening, and moved its adoption, with the following proviso:

Provided, that nothing shall be so construed in this resolution to determine the action of the Senate after its final acts upon the above named bills.

After debate the resolution was tabled, on motion of Mr. O'Hara, by the following vote:

Yeas—Anderson, Barber, Butler, Campbell, Gallup, Harris, Hunsaker, Ingraham, Jenks, Kelso, Noland, O'Hara, Pinchback, Smith, Swords, Todd, Twitchell, Whitney—18.

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

On motion of Mr. Lynch, substitute for Senate bill No. 274, to be entitled an act to provide for the registration of all the qualified electors of the State, in accordance to the requirements of article twenty-five of the constitution of the State, providing for the appointment of the necessary officers therefor, and prescribing their duties and compensation, and how the same is to be paid, and prescribing certain penalties for a violation of the provisions of this act; abolishing the office of State Registrar of Voters, and prescribing certain duties for the Secretary of State or clerks of courts, and repealing all laws in conflict with this act, was taken up by unanimous consent, to consider the amendments of the House of Representatives.

The following amendments, made by the House of Representatives to the bill, were read:

First amendment:

In second section strike out the words "police jurors."

Second amendment:

In ninth section, fifteenth line, strike out the word "nine" and insert "eight;" in fifteenth line strike out the word "four" and insert "six."

Third amendment:

In tenth section, third line, strike out the word "seven" and insert "six;" nineteenth line, same section, after the word "election" insert "And they shall each be entitled to one clerk, who shall be allowed five dollars per day for the time he shall be employed, not to exceed the time for which his principal is allowed pay;" in twenty-fifth line, same section, after the word "paid" insert the words "in current funds."

Fourth amendment:

At the end of section fifteen insert the following proviso: "Provided, that within ten days after the books of registration shall have been opened, as hereinbefore provided for, it shall be the duty of each supervisor of registration to strike from the list of voters the names of all persons who have, prior to that time, died, removed or otherwise become disqualified as electors, and also to publish immediately, according to law, for at least ten days, the names of such electors thus stricken off; and, provided further, that on the tenth day before the election only the names of such persons as have died, removed or otherwise become disqualified as electors since the opening of said books, shall be stricken off; a list of the names of whom shall be published, as aforesaid, on the succeeding day."

Fifth amendment:

Insert the following as an additional section, to be known as section thirty-seven:

SEC. 37. Any supervisor of registration, or clerk of a supervisor, who shall receive any bribe designed to influence him in the discharge of his duties, or any person who shall offer to said supervisor or clerk any bribe designed to influence either in the discharge of his duty, shall be, on conviction, imprisoned in the State Penitentiary not less than one year nor more than three years.

Sixth amendment:

Make section thirty-seven section thirty-eight.

The amendments were concurred in and notice ordered sent to the House.

Mr. Hunsaker moved to adjourn until the twenty-third instant, at 12 M., which the Senate refused, on a call of the yeas and nays, by the following vote:

Yeas—Antoine, Bowman, Butler, Daigle, Harris, Hunsaker, Ingraham, Noland, Swords, Thompson, Todd, Twitchell, Whitney—13.

Nays—Barber, Blackman, Campbell, Coupland, Gallup, Herwig, Jenks, Kelso, Lewis, Lynch, McMillen, O'Hara, Pinchback, Ray, Smith, Sypher, Thomas, Wilcox—18.

Mr. McMillen moved to take up the substitute to Senate bill No. 373, 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 and 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 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; 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.

Mr. Harris, moved to adjourn until to-morrow at 12 M.

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

Yeas—Antoine, Bowman, Daigle, Gallup, Harris, Hunsaker, Noland, Swords, Todd, Twitchell, Whitney—11.

Nays—Barber, Butler, Campbell, Coupland, Herwig, Ingraham, Jenks, Kelso, Lewis, Lynch, McMillen, O'Hara, Pinchback, Ray, Smith, Sypher, Thomas, Thompson, Wilcox—19.

The bill was then taken up.

The President announced that the pending question on the bill was the adoption of the section offered by Mr. Campbell, to be section three of the bill.

Mr. Campbell offered the following, to be added to the original section offered by him, to be section three of the bill:

It shall be the duty of the judge of any district court to which such papers and statements may be sent, upon their reception immediately to repair to the parish in which such riot, tumult, etc., were charged to have occurred, and to forthwith try and determine the cause. It shall be the duty of the district attorney, or of the district attorney pro tem. to present and prosecute all such causes. If any judge, before whom such cause shall come, may have been a candidate at such election, he shall recuse himself as provided by law in other cases.

Mr. Hunsaker offered the following substitute for the additional section, to be known as section three, offered by Mr. Campbell:

SEC. 3. Be it further enacted, etc., That in such canvass and compilation the returning officers shall observe the following order: They shall compile first the statements from all polls or voting places at which there shall have been a fair, free and peaceable registration and election. Whenever, from any poll or voting place, there shall be received the statement of any supervisor of registration, assistant supervisor of registration, or commissioner of election, in form as required by section —— of this act, on affidavit of three or more citizens, of any riot, tumult, acts of violence, intimidation, armed disturbance, bribery or corrupt influences, which prevented or tended to prevent a fair, free and peaceable vote of all qualified electors entitled to vote at such poll or voting place, such returning officers shall not canvass, count, or compile the statement of votes from such poll or voting place until the statements from all other polls or voting places shall have been canvassed and compiled. The returning officers shall then proceed to investigate the statements of riot, tumult, acts of violence, intimidation, armed disturbance, bribery or corrupt influences at any such poll or voting place; and if from the evidence of such statement they shall be convinced that such riot, tumult, acts of violence, intimidation, armed disturbance, bribery or corrupt influences did not materially interfere with the purity and freedom of the election at such poll or voting place, or did not prevent a sufficient number of qualified voters thereat from registering or voting to materially change the result of the election, then, and not otherwise, said returning officers shall canvass and compile the vote of such poll or voting place, with those previously canvassed and compiled; but if said returning officers shall not be fully satisfied thereof, it shall be their duty to examine further testimony in regard thereto, and to this end they shall have power to send for persons and papers. If, after such examination, the said returning officers shall be convinced that said riot, tumult, acts of violence, intimidation, armed disturbance, bribery or corrupt influences did not materially interfere with the purity and freedom of the election at such poll or voting place, or did prevent a sufficient number of the qualified electors thereat from registering and voting to materially change the result of the election, then the said returning officers shall not canvass or compile the statement of the votes of such poll or voting place, but shall exclude it from their returns.

Mr. Noland then moved to adjourn until to-morrow at 12 M.

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

Yeas—Anderson, Antoine, Bowman, Butler, Campbell, Gallup, Harris, Hunsaker, Ingraham, Jenks, Noland, Todd, Twitchell, Whitney, Wilcox—15.

Nays—Barber, Blackman, Daigle, Herwig, Kelso, Lewis, Lynch, McMillen, O'Hara, Ray, Smith, Sypher, Thomas, Thompson—14.

The President then announced that the Senate stood adjourned until Friday, 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.

Forty-third Day's Proceedings.

HOUSE OF REPRESENTATIVES, Friday, February 23, 1872.

The House met pursuant to adjournment. Speaker Brewster in the chair.

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

Speaker Brewster, and Messrs. Abel, Adolphe, Antoine, Baker, Barker, Barrow, Belot, Bentley, Bickham, Bowen, Broussard, Bryan, Buckingham, Butler, Chachere, Carr, Cochrane, Crawford, Darby, Darinsburg, Davidson, Davis, Dewees, Deslonde, Durio, Ellis, Faulkner, Floyd, Fontelieu, Gaddis, Gardner, Garstkamp, Hempstead, Huston, Kenner, Killen, Kinsella, La Saliniere, Laurent, Llambias, H. Lott, J. B. Lott, Mahoney, Marie, Marvin, Matthews, McCarty, McFarland, Meadows, Moncure, Morphy, Murray, Nelson, Ong, Oplatek, Overton, Pond, Quinn, Riley, Ringgold, Sartain, Smith, Stamps, Stanton, Stinson, Tatman, Thompson, Tounoir, Tureaud, Verrett, Washington (Assumption), Washington (Concordia), E. Williams, H. Williams, Worrall, Yorke, Young—78.

Quorum present.

Upon motion of Mr. Bentley, of St. Mary, the reading of the journal was dispensed with, and it was approved.

MESSAGE FROM THE SENATE.

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

I am directed to present for your consideration the following Senate bills, to wit:

Senate bill No. 267, to be entitled an act to authorize the New Orleans, Baton Rouge and Vicksburg Railroad Company to select the point or points for the commencement of the road; 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.

Senate bill No. 385, to be entitled an act to amend an act defining the distances from the domiciles of members of the General Assembly to the State House, and making an appropriation to defray the expenses of the General Assembly, and to repeal act No. 52 of 1869.

Senate bill No. 313, an act to liquidate the indebtedness of the State to J. O. Nixon under his contract of March 22, 1866.

Senate bill No. 348, an act to amend an act entitled "An act to incorporate the Pontchartrain Railroad Company," approved on the twentieth 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 railroad, and for the purpose of providing continuous and unbroken communication between the same by ferry transportation.

Senate joint resolution No. 25, for the relief of the taxpayers of Claiborne parish.

Senate bill No. 376, to be entitled an act establishing an additional term of the district court in the parish of Carroll.

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.

Senate bill No. 380, to be entitled an act to establish a steam ferry across the Mississippi river at Bayou Sara.

Senate bill No. 336, to be entitled an act to provide for the construction of a shell road in the parish 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.

And that the Senate has concurred in the House amendments to Senate bill No. 274, to be entitled an act to provide for the registration of all the qualified electors of the State, in accordance to the requirements of article twenty-five of the constitution of the State, providing for the appointment of the necessary officers therefor, and prescribing their duties and compensation, and how the same is to be paid, and prescribing certain penalties for a violation of the provisions of this act; abolishing the office of State Registrar of Voters, and prescribing certain duties for the Secretary of State, or clerks of courts, and repealing all laws in conflict with this act.

And that the Senate has adopted the report of the committee of conference on House bill No. 286—city school bill—and receded from its amendments thereto.

And concurred in House bill No. 18, to allow Hypolite Belloeq, of St. Mary, to sue the State, etc.

And to request concurrence in Senate bill No. 369, to be entitled an act providing for the adoption of children.

CHARLES H. MERRITT, Secretary of Senate.

By permission the Committee on Claims, through its chairman, submitted the following reports:

COMMITTEE ON CLAIMS, February 16, 1872.

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

Your committee, to whom was referred the memorial of the police jury of the parish of Caddo, for relief for expenses incurred in the support of certain insane persons who could not be cared for in the State Insane Asylum, by reason of said asylum being full of patients, has carefully considered the case, and deem the claim a just and proper one against the State, and report the bill accompanying this report, and recommends its enactment into a law.

Your committee has also had under consideration the claim of Theodore Vaiade, for relief in the sum of $2800, for expenses incurred in the rescuing of certain persons during the overflow, in the year 1867, while acting under the orders of a justice of the peace of Brashear City, in this State, and would respectfully report favorably on said bill, and recommend that it be amended by substituting the sum of $2000 for $2800, and as so amended, the bill so pass.

Your committee has also considered the memorial of Mrs. R. H. Chilton, widow of the late Professor Chilton, of the University of the State of Louisiana, and submits herewith a bill for her relief, granting her the sum of $500, and recommends its passage.

Your committee has also considered a petition of John Lewis, for relief for damages sustained by his place of business being closed up during fourteen days by order of the State authorities during the month of January, 1872, and herewith reports a bill granting him the sum of $1000, and recommends that the same be enacted into a law.

Your committee has also had under consideration the petition of James Allen, for compensation for services rendered to the Attorney General as clerk, and reports herewith a bill granting the sum of $1449 for his relief, and recommends that the same do pass.

Your committee have also had under consideration the petition of Mrs. Lizzie C. Gallup for relief, asking that the salary due to her late husband, H. A. Gallup, as official reporter of the Constitutional Convention, be paid to her, and having carefully weighed the testimony in the case, deem her claim just and lawful, and report favorably upon House bill No. 381, authorizing the payment of said claim, and recommend its passage.

Your committee also, after considering the case of Chichester Chaffin, Sr., who claims his salary as district judge of the Ninth Judicial District for two quarters of the year 1865, which salary, as it appears from the certificates of the Auditor, has never been paid, have decided to report favorably thereon, and recommend the passage of House bill No. 348, granting the relief sought, be enacted into a law.

Your committee have also considered House bill No. 382, entitled an act for the relief of M. C. Carroll, of New Orleans, and report favorably upon the same and recommend its passage.

Your committee have also carefully considered the petitions of Timothy Canan and John Pardon, who were wounded while in the line of their duty as policemen, and rendered unable to pursue any active business whereby to support themselves and their families, and report herewith two bills, one House bill No. 358, appropriating to John Pardon the sum of fifteen hundred dollars, and a bill granting to Timothy Canan the sum of fifteen hundred dollars, and recommend that both of said bills be enacted into laws.

Your committee have also had under consideration the petition of Mrs. Catherine Epps, of No. 18 Dryades street, for damages to the extent of five thousand dollars, and report unfavorably upon the some, and herewith return said petition. All of which is respectfully submitted.

GEORGE L. SMITH, Chairman;
W. H. WATERS,
W. G. JOHNSON,
H. RILEY,
P. DARINSBURG.

COMMITTEE ON CLAIMS, February 19, 1872.

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

Your committee have had under consideration the petition of the widow of Nicholas W. Condran for relief, having carefully considered the same, and deeming the claim a just one, report a bill granting her the relief sought for, and recommend its passage. All of which is respectfully submitted.

GEORGE L. SMITH, Chairman.
D. A. COCHRANE,
P. DARINSBURG,
HENRY RILEY,
W. H. WATERS,
ALPHONSE STINSON,
W. G. JOHNSON.

Upon motion of Mr. Faulkner, of Caldwell, and under a suspension of the rules, an act to amend an act entitled an act defining the distances from the domiciles of members by the General Assembly to the State House, and making an appropriation to defray the expenses of the General Assembly, and to repeal act No. 52 of 1869, was taken up and read.

Under a suspension of the constitutional rule, the bill underwent its second reading, and was placed on the calendar.

Mr. Carr, of De Soto, moved that the special order of the day be postponed until after action on the license revenue bill, and that it be considered immediately subsequent thereto.

Carried.

House bill No. 425, the license bill, was taken up.

The seventh item was read.

The following amendment, offered by Mr. Kenner, of Orleans, was read and adopted:

Insert, after the word "dollars," "provided that no distinction shall be made on account of race or color, adn any violation of this proviso shall incur forfeiture of such license."

The item as amended was adopted.

The eighth item was read and adopted.

The ninth item was read.

Mr. Waters, of Orleans, moved to amend by striking out $250 and inserting $500.

Mr. Floyd, of St. Helena, moved to make the amount $1000, which was laid upon the table.

Mr. Waters' amendment was adopted, and the item as amended adopted.

The tenth item was read.

Mr. Kenner, of Orleans, moved to strike out after the word "cabarets" the words "one hundred ond fifty dollars," and insert the words "eighty-five dollars."

Mr. Oplatek, of Orleans, offered the following amendment to the amendment:

Each retail grocery selling liquors by the glass shall pay, in addition to the grocery license, twenty-five dollars.

Mr. Bryan, of Calcasieu, moved to lay the amendment on the table, and being seconded by Mr. Gartskamp, of Jefferson, demanded the yeas and nays on his motion, with the following result:

Yeas—Abel, Adolphe, Baker, Barker, Barrett, Barrow, Bentley, Bickham, Blunt, Bowen, Broussard, Brown, Bryan, Buckingham, Carr, Cochrane, Crawford, Davidson, Davis, Demas, Dewees, Ellis, Floyd, Fontelieu, Gaddis, P. Harper, William Harper, Huston, Kenner, Killen, Kinsella, Laurent, Llambias, Mahoney, Marie, Marvin, Matthews, McCarty, Moncure, Morphy, Murray, Nelson, Overton, Quinn, Raby, Riley, Ringgold, Sartain, Stinson, Tatman, Thompson, Tureaud, Verrett, Washington (Assumption), Washington (Concordia), Waters, H. Williams, Worrall, Yorke, Young—60.

Nays—Butler, Darinsburg, Deslonde, Gardner, Garstkamp, Hempstead, Hyams, Johnson, La Saliniere, H. Lott, J. B. Lott, McFarland, Meadows, Oplatek, Pond, Stanton, E. Williams—17.

Carried.

Mr. Kenner's amendment was then adopted.

Mr. Kenner, of Orleans, moved to strike out after the word "State" the words "thirty dollars," and insert in lieu thereof the words "fifty dollars."

Carried.

Mr. Marvin, of Ouachita, moved to strike out the words "one gallon," and insert the words "one pint," which was laid upon the table upon motion of Mr. Harper, of St. Charles.

Mr. Young, of Concordia, moved to strike out the words "or giving away."

Carried.

Mr. Matthews, of Tensas, moved a reconsideration of the vote whereby the amendment offered to insert the words "one pint" instead of the words "one gallon" was laid upon the table.

Mr. Carr, of De Soto, moved to lay the motion to reconsider upon the table.

Carried.

The item as amended was adopted.

Mr. Matthews, of Tensas, moved to reconsider the vote on the adoption of the item as amended.

Mr. Carr, of De Soto, moved to lay the motion to reconsider upon the table.

Upon which the yeas and nays were called for by Messrs. Matthews, of Tensas, and Bentley, of St. Mary, with the following result:

Yeas—Abel, Antoine, Baker, Barker, Barrett, Bentley, Bickham, Blunt, Bowen, Broussard, Brown, Bryan, Carr, Chachere, Cochrane, Crawford, Darby, Davis, Demas, Dewees, Ellis, Faulkner, Fontelieu, Gaddis, Garstkamp, P. Harper, William Harper, Johnson, Kenner, Killen, H. Lott, J. B. Lott, Mahoney, Marie, Marvin, McCarty, Meadows, Moncure, Morphy, Morris, Nelson, Ong, Oplatek, Overton, Raby, Smith, Stanton, Stinson, Tatman, Thompson, Verrett, Washington (Concordia), Waters, Worrall, Yorke—55.

Nays—Adolphe, Barrow, Butler, Darinsburg, Davidson, Deslonde, Durio, Floyd, Laurent, Matthews, Pond, Riley, Ringgold, Sartain, Tounoir, Tureaud, H. Williams, Young—18.

Carried

The eleventh item was read and adopted.

The twelfth item was read.

Mr. McCarty, of Orleans, offered the following amendment, which was adopted:

Provided, however, that it shall be the duty of the Auditor of Public Accounts to have printed on the face of all State licenses issued to the keepers of aforesaid places, throughout the State, the provisions of article thirteen of the constitution.

Mr. Bryan, of Calcasieu, moved to amend by strikeing out after the word "year" in the seventh line the words "twenty-five dollars," and inserting the words "twenty dollars."

Carried.

Mr. Tureaud, of St. James, moved to amend by striking out after the word "inn" the words "twenty-five," and inserting the word "ten."

Lost.

The item as amended was adopted.

Mr. Harper, of St. Charles, moved to reconsider the vote on the adoption of the item as amended.

Mr. Carr, of De Soto, moved to lay the motion to reconsider on the table.

Carried.

The thirteenth item was read.

Mr. Kenner, of Orleans, moved to amend by striking out after the words "on foot" the word "twenty," and inserting the word "ten."

Carried.

The item as amended was adopted.

The fourteenth item was read and adopted.

The fifteenth item was read.

Mr. Thompson, of St. Tammany, moved to amend by inserting after the word "assessment," in the fifteenth line, the words "State, parish or municipal."

Carried.

The item as amended was adopted.

The sixteenth item was read.

Mr. Fontelieu, of Vermilion, moved to amend by striking out the words "in the parish of Orleans."

Carried.

The item as amended was adopted.

The seventeenth item was read.

[Mr. Harper, of St. Charles, in the chair.]

Mr. Thompson, of St. Tammany, offered the following amendment, which was carried:

Provided, that no druggist shall be licensed who shall not exhibit to the collector a certificate from the Medical College of New Orleans, stating that he possesses a sufficient knowledge of medicine to enable him to pursue the occupation.

Mr. Brewster, of Ouachita, moved to amend by making the license for each apothecary or druggist fifty dollars instead of fifteen dollars.

Carried.

[The Speaker resumed the chair.]

Mr. Worrall, of Jefferson, offered the following amendment:

And any physician who shall falsely pretend to have been a professor of any medical college or to hold literary or professional titles to which he is not entitled shall be forever barred from a right to practice medicine in this State, and a failure to supply evidence to substantiate any claim to such titles by proper diploma or other documentary or other satisfactory evidence shall, on conviction, be imprisoned in the State Penitentiary not less than six months nor more than five years.

The amendment was adopted.

The item as amended was adopted.

The Committee on Enrollment submitted the following report:

COMMITTEE ON ENROLLMENT, February 23, 1872.

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

Your Committee on Enrollment beg leave to report the following bills as being duly enrolled, viz:

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

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

Respectfully,

P. HARPER, Chairman.

The eighteenth item was read.

Mr. Carr, of De Soto, offered the following as a substitute for the item:

That the only legal evidence that a license has been paid shall be the appropriate form of license issued by the Auditor, and no receipt issued by a tax collector in place of the license itself shall be valid.

Adopted.

The nineteenth item was read.

Mr. Ringgold, of Orleans, moved to amend by adding the words, "All private markets outside of the city markets, fifty dollars."

Lost, and the item was adopted.

The twentieth item was read, and stricken out upon motion of Mr. Garstkamp, of Jefferson.

The twenty-first item was read, and stricken out upon motion of Mr. Hyams, of East Baton Rouge.

The twenty-second item was read and adopted.

The twenty-third item was read and adopted.

The twenty-fourth item was read and adopted.

The twenty-fifth item was read.

Mr. Fontelieu, of Vermilion, moved to amend by striking out the word "private," and inserting the word "public."

Carried.

The item as amended was adopted.

The twenty-seventh item was read and adopted.

Mr. Moncure, of Caddo, offered the following as an additional item:

From every traveling agent or employe of any mercantile house who sells, and contracts for the sale of, goods, wares and merchandise, by sample or otherwise, shall pay a license tax of one hundred dollars; and any such agent or employe who shall, when called upon to do so, fail to pay said license tax, shall be subject to a fine of one hundred dollars, recoverable as other fines, for every sale thus made, one-half of which shall go to the informer; provided, that when such agent or employe represents a house which has paid a State license tax, he shall only be liable for the license imposed by the parish or municipal corporation in which he proposes to sell.

The twenty-eighth and twenty-ninth items were read and adopted.

The thirtieth item was read and stricken out upon motion of Mr. Davidson, of Livinston.

The thirty-first item was read and adopted.

Mr. Blunt, of Natchitoches, offered the following as an additional item, which was read and adopted:

All forfeitures collected as herein expressed in the country parishes or rural districts, be paid over to the parish treasurer, for the exclusive use of the poor of the parish, to be expended as directed by the police juriers of the several parishes, instead of the Charity Hospital of New Orleans.

The second section was read.

Mr. Matthews, of Tensas, offered the following amendment which was read and adopted:

Provided, no person shall be liable to a penalty from the first of January, 1872, up to the time the tax collectors receive their licenses for 1872.

Mr. Harper of St. Charles, moved to amend by adding after the word "attorney" the words "or district attorney pro tem."

Carried.

The section as amended was adopted.

The third section was read.

Mr. Ong, of St. Bernard, moved to amend as follows:

After the word "treasury," at the close of section three, insert "and the tax collectors of all the parishes in the State, except those in the parish of Orleans, ten per cent on all the licenses collected and paid into the State treasury."

Carried.

The section, as amended, was adopted.

Mr. Young, of Concordia, moved a reconsideration of the vote on the adoption of the section.

Mr. Quinn, of Orleans, moved to lay the motion to reconsider on the table.

Carried.

The fourth section was read and adopted.

Mr. Souer, of Avoyelles, moved to reconsider the vote on the adoption of the fifteenth item, which motion was laid upon the table, upon motion of Mr. Tureaud, of St. James.

The fifth section was read.

Mr. Carr, of De Soto, offered the following as a substitute, which was read and adopted:

That all parts of an act to provide a revenue, to levy and collect taxes, to grant and collect licenses, to provide certain penalties and forfeitures, to provide for the creation and removal of revenue officers and to define their duties, to punish certain crimes and misdemeanors, to create liens and mortgages in favor of the State in certain cases, to regulate the manner of the payment of moneys from the treasury, to prescribe certain duties of the justices of the peace, State and parish officers, to provide for the collection of back taxes or licenses, and to repeal all acts inconsistent therewith, approved March 31, 1871, so far as they appertain to the collection of licenses as prescribed in this act, be and the same are hereby repealed.

The sixth section was read and adopted.

The bill as amended was adopted as a whole.

The bill was considered as engrossed.

Under a suspension of the constitutional rule the bill was read a third time, and finally passed, its title adopted, and it was ordered to be sent to the Senate for concurrence.

Mr. Fontelieu, of Vermilion, moved an adjournment, upon which the yeas and nays were demanded by Messrs. Barrett, of Orleans, and Harper, of St. Charles, with the following result:

Yeas—Adolphe, Baker, Barker, Barrow, Broussard, Bryan, Butler, Cochrane, Darby, Darinsburg, Davidson, Durio, Ellis, Fontelieu, Gaddis, P. Harper, Hyams, Killen, Laurent, Llambias, H. Lott, J. B. Lott, Meadows, Moncure, Nelson, Ringgold, Stanton, Stinson, Tatman, Thompson, Tureaud, E. Williams, H. Williams, Yorke—34.

Nays—Abel, Barrett, Bentley, Blunt, Bowen, Brown, Buckingham, Carr, Crawford, Dewees, Deslonde, Faulkner, Gardner, Garstkamp, William Harper, Hempstead, Huston, Johnson, Kenner, Mahoney, Marie, Marvin, Matthews, McCarty, Moore, Morphy, Morris, Ong, Oplatek, Overton, Raby, Riley, Sartain, Smith, Souer, Stamps, Tounoir, Verrett, Washington (Assumption), Washington (Concordia), Waters, Worrall, Young—43.

Lost.

NOTICES OF BILLS.

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

By Mr. Overton, of Ouachita:

A bill entitled an act to incorporate the City of Monroe Widows' Aid Society and for other purposes.

By Mr. Bentley, of St. Mary:

An act to amend an re-enact sections one, two and six of an act entitled an act to incorporate the town of Brashear, parish of St. Mary, and to repeal an act to incorporate the town of Brashear, in the parish of St. Mary, approved March 8, 1860, and all acts amendatory thereto, approved April 27, 1871.

Also, an act to incorporate the Louisiana Educational Association.

By Mr. Bryan, of Calcasieu:

A bill entitled an act to incorporate the Sabine River Improvement and Manufacturing Company of Louisiana, giving said company certain rights and privileges.

Also, a joint resolution, which has for its object to postpone indefinitely the collection of back taxes of 1861, 1862, 1863 and 1864.

By Mr. La Saliniere, of St. Martin:

A bill to be entitled an act to make an appropriation to repair the Louisiana State Library rooms, and to provide for an assistant librarian.

Also, a bill to be entitled an act to amend an act entitled "An act to organize, arm and equip a uniformed militia," approved April 5, 1870.

By Mr. Marie, of Terrebonne:

An act to exempt the citizens of the town of Houma, parish of Terrebonne, from paying the parish licenses, and providing how such licenses shall be paid and proceeds appropriated.

Upon motion of Mr. Kenner, of Orleans, the House took a recess until 7 P. M.

WILLIAM VIGERS, Chief Clerk.

THE SENATE YESTERDAY.

Forty-seventh Day's Session.

SENATE CHAMBER, Friday, February 23, 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, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—32.

Prayer by the Chaplain.

The minutes of the twenty-first and twenty-second instant were then considered, and their reading dispensed with.

There being no objections, they were approved, including corrections of the Secretary.

MORNING HOUR—MESSAGES FROM THE GOVERNOR.

The following message from his Excellency, the Governor, was read and referred to the Committee on Finance.

STATE OF LOUISIANA, Executive Department, New Orleans, February 21, 1872.

To the General Assembly of the State of Louisiana:

I have the honor to submit, as required by law, the following report of disbursements made on account of the contingent fund appropriated for the expenses of this department:

Jacob Ott, for carpentering and repairs	$331 00
P. Leahy, for signs	15 00
Sweeping chimney	5 00
Elkins & Co., carpet	80 10
Captain Broadwell, reward for Digby child	500 00
Expense attending apprehension of Mike Dougherty, and conveyance from St. Louis to the parish of St. Mary	383 60
Sampson Brothers, furniture	280 00
Subscription for copies of New Orleans Republican for four years	128 00
J. T. Hamlin, carpentering and repairs	59 25
Whitewashing and repairs	3 50
Repairs on lock and gong	1 50
Bolts for blinds	1 50
C. C. Hartwell, gas fitting	75 00
Reward to Mr. Cunningham for apprehension of murderers of J. N. De Lee	1000 00
Reward to P. Schipp for apprehension of murderers of F. Menteath, in St. James parish	500 00
Green baize for table	2 75
Frames for official statements	10 90
Express per steamer	12 00
Binding documents	24 00