

New Orleans Republican. OFFICIAL JOURNAL OF THE UNITED STATES OFFICIAL JOURNAL OF NEW ORLEANS PROCEEDINGS OF THE SENATE SECOND SESSION OF THE SECOND GENERAL ASSEMBLY OF THE STATE OF LOUISIANA.

Friday, February 29, 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, Daigle, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Lynch, McMillen, Noland, O'Hara, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—33.

Prayed by the Chaplain. The reading of the minutes of the previous day's session was dispensed with. There being no corrections, they were then approved.

Mr. Harris moved that rule sixty-two be suspended so far as it allowed each Senator to invite a citizen to occupy a seat on the floor of the Senate.

Mr. Lewis moved to amend the motion, to wit: That the entire rule be suspended.

Mr. Campbell moved to lay the whole subject matter on the table.

On a call of the yeas and nays the Senate refused to order the whole subject to lie on the table, by the following vote: Yeas—Barber, Butler, Campbell, Futch—4.

Nays—Blackman, Bowman, Coupland, Daigle, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Lynch, McMillen, Noland, Pinchback, Ray, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—23.

The question then returned on the motion to suspend the entire rule.

Adopted. Mr. Ray, by consent, obtained a suspension of the rules requiring bills passed by the Senate to be engrossed before being sent to the House.

Adopted.

REPORTS OF COMMITTEES. Mr. Harris, chairman of the special committee, known as the "omnibus committee," reported, in behalf of said committee, favorably upon the following bills of a local character:

COMMITTEE ROOMS, FEBRUARY 29, 1872. To the Honorable President and Members of the Senate:

Your committee, to whom were referred House bills of a local character, with a view to immediate passage of the same, report favorably on the following House bills:

HOUSE BILLS OF FIRST READING. House bill No. 416, St. John the Baptist to issue bonds.

House bill No. 407, practice in district courts, parish of Orleans.

House bill No. 410, justice court in Avoyelles.

House bill No. 414, advertising in French language.

House bill No. 30, Mrs. Hunter to change her name.

House bill No. 68, town of Columbia.

House bill No. 138, William Slatter to change his name.

House bill No. 149, term of district court in West Baton Rouge.

House bill No. 257, St. Paul Methodist Episcopal Church.

House bill No. 452, Caddo to loan.

House bill No. 455, Shreveport Bridge Company.

House bill No. 310, Israelite Benevolent Association of New Orleans.

House bill No. 314, Wake Band Benevolent Society, with amendments.

House bill No. 65, Young Men's Christian Association of New Orleans.

House bill No. 237, terms of court in Third Judicial District.

House bill No. 357, town of Waterproof.

House bill No. 363, Young Men's Christian Association of New Orleans.

House bill No. 385, town of Ville Plate.

House bill No. 390, Laborers' Protective Association.

House bill No. 400, Amis Sinceres Benevolent Association, with amendments.

House bill No. 31, relief of Vaughn.

House bill No. 354, relief of Fisher.

House bill No. 373, Ninth District Court for the parish of Orleans.

House bill No. 434, Louisiana Academy of Arts.

House bill No. 450, Louisiana Workingmen's Homeopathic Association.

House bill No. 439, Workingmen's Mutual Aid Association.

House bill No. 433, road in St. Charles parish.

House bill No. 461, Veterans of 1814-15 Association.

House bill No. 459, Columbia, Louisiana.

House bill No. 458, Monroe Widows' Society.

House bill No. 292, Tarriv Ferry.

House bill No. 452, Caddo to issue bonds.

House bill No. 453, town of Houma.

House bill No. 436, Meyer to adopt a child.

House bill No. 437, McQuillan to change his name.

House bill No. 441, Ascension to bond.

House bill No. 409, Nurses' Benevolent Association.

House bill No. 464, Assention to levy a tax.

SECOND READING. House bill No. 329, relief of Thompson.

House bill No. 387, Caldwell parish to bond.

House bill No. 376, section 1915, Revised Statutes.

House bill No. 361, St. Mary and Terrebonne to issue bonds.

WITHOUT ACTION. House bill No. 296, appeals in Tangipahoa parish.

House bill No. 401, sections 2292 and 2294, Civil Code.

House bill No. 39, to regulate loans.

House bill No. 306, amend 357 and 357A, Revised Statutes.

House bill No. 322, draining in Iberia.

House bill No. 322, town of Natchitoches.

House bill No. 417, relief of Martin.

House bill No. 442, taxes, Fifth District.

House bill No. 438, Russ, cleaning bayous in St. Charles parish.

House bill No. 441, Amite City.

House bill No. 442, Red River and Natchitoches House Railroad Company.

House bill No. 454, relief of heirs of Whynard.

House bill No. 457, relief of Murrell.

House bill No. 268, Winfield.

House bill No. 12, counsel for accused in Jefferson.

House bill No. 445, Oakland College.

House bill No. 447, relief of Uphaw.

House bill No. 449, wharf at Grand Ecore.

House bill No. 304, to change Caldwell parish.

House bill No. 65, hospital of small pox, etc.

House bill No. 144, relief of Haydel.

A. B. HARRIS, Chairman.

MESSAGES TO THE HOUSE. The Secretary presented to the House for its consideration the following Senate bills: Senate bill No. 288, to incorporate the Citizens' Savings Bank.

Senate bill No. 271, authorizing Albert E. Davis, of the parish of St. Mary, to sue the State of Louisiana.

Senate bill No. 281, making Shrove Tuesday, or Mardi Gras, a legal holiday.

Senate bill No. 286, to incorporate the Monroe Bridge Company, etc.

Senate bill No. 286, relative to contributions to be raised by the Citizens' Bank of Louisiana, and the resale of property purchased on foreclosure of stock mortgages. Substitute for Senate bill No. 287, 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, etc.

Senate bill No. 331, to amend article 644 Code of Practice.

Senate bill No. 292, to authorize the North Louisiana and Texas Railroad Company to substitute stock of said company instead of second mortgages in favor of the State, etc.

And requested the signature of the Speaker to enrolled bill "to authorize the New Orleans, Baton Rouge and Vicksburg Railroad Company to select their point of commencement," etc.

Mr. Jenks moved to suspend the rules to take up Senate bill No. 292, relative to the North Louisiana and Texas railroad, etc.

On call of the yeas and nays the motion to suspend the rules was adopted by the following vote:

Yeas—Antoine, Barber, Bowman, Butler, Futch, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Noland, Pinchback, Ray, Smith, Swords, Sypher, Thompson, Todd, Twitchell, Whitney, Wilcox—21.

Nays—Blackman, Coupland, Lynch, McMillen, Thomas, Twitchell—6.

The bill was taken up. Mr. McMillen moved the further consideration of the bill be postponed indefinitely.

The Senate refused by the following vote to adopt the motion:

Yeas—Hunsaker, McMillen, Thomas—3.

Nays—Anderson, Antoine, Barber, Bowman, Butler, Campbell, Coupland, Daigle, Futch, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Noland, O'Hara, Ray, Smith, Swords, Sypher, Thompson, Todd, Twitchell, Whitney, Wilcox—29.

Mr. McMillen then moved that the bill be ordered printed and fixed for the special order of the day for to-morrow (Thursday) at one o'clock.

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

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

Yeas—Anderson, Antoine, Barber, Blackman, Bowman, Butler, Campbell, Coupland, Daigle, Futch, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Noland, O'Hara, Ray, Smith, Swords, Sypher, Thompson, Todd, Twitchell, Whitney, Wilcox—26.

Nays—Hunsaker, Lynch, McMillen—3.

Mr. Jenks moved that the bill be considered engrossed.

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

Yeas—Anderson, Antoine, Barber, Bowman, Butler, Campbell, Coupland, Daigle, Futch, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Noland, O'Hara, Ray, Smith, Swords, Sypher, Thompson, Todd, Twitchell, Whitney, Wilcox—26.

Nays—Blackman, Hunsaker, Lynch, McMillen, Thomas—5.

Mr. Jenks moved to suspend the constitutional rule to allow the bill to go to its third reading.

On call of the yeas and nays the motion to suspend the rule was adopted by the following vote:

Yeas—Anderson, Antoine, Barber, Bowman, Butler, Campbell, Coupland, Daigle, Futch, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Noland, O'Hara, Ray, Smith, Swords, Sypher, Thompson, Todd, Twitchell, Whitney, Wilcox—26.

Nays—Hunsaker, Lynch, McMillen, Thomas—5.

The bill was read its third and last time, and finally adopted with its title.

Mr. Campbell moved to suspend the rules to take up a report of the Committee on Elections relative to the contest between W. L. McMillen and Curtis Pollard.

The motion to suspend the rules was adopted by the following vote:

Yeas—Anderson, Antoine, Barber, Blackman, Bowman, Butler, Campbell, Daigle, Futch, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Noland, Pinchback, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—27.

Nays—Lewis, O'Hara, Todd—3.

The following report was then taken up: COMMITTEE ON ELECTIONS. February 29, 1872. To the Honorable President and Members of the Senate:

Your committee on Elections, to whom was referred the papers in the case of Pollard vs. McMillen, January 9, 1871, beg leave to report that we find no grounds for contest. The committee, therefore, respectfully recommend that Senator W. L. McMillen be confirmed in his seat.

M. H. TWITCHELL, Chairman.

Mr. Campbell moved to adopt the report of the committee, and that Mr. McMillen be confirmed in his seat.

Mr. Lynch moved the previous question on the motion.

The main question was ordered, and the report was adopted confirming Mr. McMillen in his seat.

ORDER OF THE DAY. The President then announced that the time for the consideration of the order of the day had arrived, it being the general appropriation bill, the unfinished business of last evening.

The question pending was on the item giving John H. New ten thousand dollars.

Mr. Ray moved to strike out "ten thousand" and insert "twenty-five hundred."

Mr. Campbell moved to strike out "ten thousand" and insert "five thousand."

On a call of the yeas and nays, the motion of Mr. Ray was adopted by the following vote:

Yeas—Blackman, Coupland, Daigle, Futch, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Lewis, O'Hara, Ray, Sypher, Thomas, Thompson, Twitchell, Whitney, Wilcox—17.

Nays—Barber, Butler, Campbell, Jenks, Lynch, McMillen, Noland, Pinchback, Smith, Swords, Todd, Wilcox—12.

Mr. McMillen moved to add to line 326 the following:

For the maintenance and tuition of one hundred and thirty-two beneficiary cadets in the Louisiana State University, three hundred and fifty dollars each per annum, forty-six thousand two hundred dollars.

Adopted.

Mr. Hunsaker offered the following proviso: Provided, That the Board of Control of the said university shall not make any charge to beneficiary cadets other than that allowed by the State.

Refused.

By Mr. Blackman: For the continuation of the botanical, geological and topographical survey, six thousand dollars.

Adopted.

Also: For the traveling expenses of the board of supervisors, one thousand dollars.

Adopted.

Mr. Hunsaker moved to reconsider the vote taken on the adoption of the item, line 326.

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

On call of the yeas and nays, the motion was ordered to lie on the table by the following vote:

Yeas—Anderson, Blackman, Campbell,

Daigle, Futch, Herwig, Jenks, Lewis, Lynch, Noland, Smith, Swords, Sypher, Thomas, Todd, Whitney, Wilcox—17.

Nays—Antoine, Barber, Gallap, Harris, Hunsaker, Ingraham, O'Hara, Pinchback, Ray, Thompson, Twitchell—11.

Mr. McMillen: For payment of the existing debt of the Louisiana State Seminary, growing out of the depreciation in State warrants for the year A. D. 1871, ten thousand dollars.

Adopted.

Mr. Ingraham: That the sum of four thousand dollars be and the same is hereby appropriated to pay the minor heirs of George W. Martin, deceased, late judge of the Sixth Judicial District of Louisiana, being for one year's salary of said judge from the thirty-first day of March, 1861, to the thirty-first day of March, 1863, and that the same be paid on the warrant of the tutors of said minors for their use and benefit.

Adopted.

The following item was read: Appropriation for Honor and Benedict, ten thousand three hundred and fifty dollars.

Mr. O'Hara moved to strike out the item.

Adopted.

The following item was read: Appropriation to pay C. Roselin, for professional services to the State, three thousand dollars.

Mr. Blackman moved to strike out the item.

Adopted.

Mr. Anderson offered the following: For the payment of school teachers in the parish of St. Landry, for services rendered prior to January 1, 1872, said term approved by the school board, seven thousand dollars, or so much as may be necessary, to be paid out of the fund appropriated to said parish.

Mr. Lynch moved to order the item to be laid on the table.

Adopted.

Mr. Ray offered the following: For D. J. Hitchcock & Co., balance due for furnishing the State University banquets with asphalt, four hundred and sixty-nine dollars and twenty cents.

Mr. McMillen moved to lay the item on the table.

Refused to table.

The item was finally adopted.

Mr. Sypher moved to adopt from line 491 to 611, being items to pay interest on State indebtedness.

Adopted.

[Mr. Ingraham in the chair.] Mr. Todd offered the following item: For the estate of Louis Surgi, eighteen thousand three hundred and nine dollars and eighty cents.

Mr. Lynch moved to lay the item on the table.

On call of the yeas and nays, the item was laid on the table by the following vote:

Yeas—Blackman, Campbell, Coupland, Daigle, Harris, Ingraham, Kelso, Lynch, McMillen, O'Hara, Ray, Swords, Sypher, Thomas, Thompson, Twitchell, Whitney, Wilcox—18.

Nays—Anderson, Antoine, Barber, Bowman, Butler, Gallap, Hunsaker, Smith, Swords, Sypher, Thomas, Thompson, Todd—9.

Mr. Thomas offered the following: For the support of the city infirmary at Shreveport, Louisiana, twenty thousand dollars.

Ordered to lie on the table.

Mr. Bowman offered the following: To appropriate ten thousand dollars for the purchase from Dr. Eugene de St. Rome the only files in existence of the Louisiana Courier, from the years of 1807 to 1842 inclusive, and consisting of thirty-two bound volumes for many years the official journal of the governments of the United States, Territory of Orleans, State of Louisiana, and of the First and Third Municipalities of the city of New Orleans, and containing the most valuable statistical and official information of the history of the Territory of Orleans, State of Louisiana, and proceedings in Congress, Territorial Legislature of Orleans, State of Louisiana, and containing the Council of the First and Third Municipalities of the city of New Orleans.

Ordered to lie on the table.

Mr. Jenks moved to strike out "forty" in line 626 and insert "fifty."

Adopted.

He also offered the following item: To appropriate to pay repairs to Insane Asylum at Jackson eight thousand dollars.

Ordered to lie on the table.

Item from line 646 to line 648 was then read.

Mr. McMillen moved to strike out "one hundred" and insert "seventy-five."

On call of the yeas and nays, the amendment was adopted by the following vote:

Yeas—Anderson, Antoine, Blackman, Bowman, Butler, Campbell, Daigle, Futch, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Noland, Ray, Sypher, Thomas, Thompson, Whitney, Wilcox—19.

Nays—Barber, Gallap, Harris, Hunsaker, O'Hara, Smith, Swords, Todd—8.

Item from line 649 to 652 was then adopted.

Item from line 653 to 657 was then adopted.

Mr. Swords offered the following additional item: For the Orphans' Home at Thibodaux, Louisiana, one thousand dollars.

Ordered to lie on the table.

Mr. Hunsaker offered the following additional item: For blanks and records to be furnished by the Secretary of State to the supervisors of registration, twenty thousand dollars.

Mr. McMillen moved to amend by striking out "twenty" and inserting "ten."

Adopted as amended.

Mr. Sypher offered the following item, to be inserted between lines 631 and 632: For the Orphans' Home, St. Mary parish, ten thousand dollars.

Ordered to lie on the table.

Mr. Jenks offered the following item: For the payment of rent of office for the Attorney General, one thousand dollars.

Mr. Blackman moved to order to lie on the table.

On a call of the yeas and nays, the item was ordered to lie on the table by the following vote:

Yeas—Anderson, Antoine, Barber, Butler, Campbell, Coupland, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lynch, McMillen, Noland, O'Hara, Ray, Swords, Sypher, Thompson, Todd, Twitchell—17.

Nays—Blackman, Bowman, Coupland, Daigle, Futch, Gallap, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Noland, Pinchback, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—12.

Mr. McMillen moved to add to line 326 the following:

For the maintenance and tuition of one hundred and thirty-two beneficiary cadets in the Louisiana State University, three hundred and fifty dollars each per annum, forty-six thousand two hundred dollars.

Adopted.

Mr. Hunsaker offered the following proviso: Provided, That the Board of Control of the said university shall not make any charge to beneficiary cadets other than that allowed by the State.

Refused.

By Mr. Blackman: For the continuation of the botanical, geological and topographical survey, six thousand dollars.

Adopted.

Also: For the traveling expenses of the board of supervisors, one thousand dollars.

Adopted.

Mr. Hunsaker moved to reconsider the vote taken on the adoption of the item, line 326.

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

On call of the yeas and nays, the motion was ordered to lie on the table by the following vote:

Yeas—Anderson, Blackman, Campbell,

Baton Rouge, between lines 645 and 646, twenty-five hundred dollars.

Ordered to lie on the table.

Mr. Thompson offered the following additional item: Appropriation to pay H. C. Myers, Register of Land Office, Natchitoches, Louisiana, for furnishing recorders of the parishes of Caddo, De Soto, Bienville, Claiborne, Bossier, Webster and Rapides, abstracts of all lands sold and lying in their respective parishes, in accordance with sections Nos. 3149, 3150 and 3151 of Revised Statutes of 1870, the sum of four thousand dollars.

Mr. Lynch moved to strike out "four thousand" and insert "twenty-five hundred dollars."

Amendment adopted.

Item adopted as amended.

Mr. Hunsaker offered the following additional item: For the Union Benevolent Society, parish of Lafourche, one thousand dollars.

For the Mount Zion Benevolent Society, St. James parish, one thousand dollars.

Ordered to lie on the table.

The appropriation for expenses of the State militia for 1872 was read.

Mr. Ray moved to