New Orleans Republican.
OFFICIAL JOURNAL OF THE UNITED STATES
OFFICIAL JOURNAL OF NEW ORLEANS

OFFICIAL JOURNAL

OF THE

PROCEEDINGS OF THE SENATE

EXTRA SESSION

OF THE

THIRD GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA.

Fifteenth Day's Proceedings.

SENATE CHAMBER, New Orleans, December 26, 1872.

The Senate met pursuant to adjournment, and was called to order by Hon. A. B. Harris, Lieutenant Governor of the State and President of the Senate.

On call of the roll the following Senators answered to their names:

Present—Hon. A. B. Harris, President; Messrs. Anderson, Barber, Blackburn, Burch, Brewster, Cage, Greene, P. F. Herwig, Harper, Ingraham, Jenks, Kelso, Masicot, Noland, Sypher, Wharton—17.

The President of the Senate announced that there was not a quorum present.

Whereupon, on motion of Mr. Burch, the members present voted to adjourn until Friday, the twenty-seventh instant, at twelve o'clock M.

The President then announced that the Senate stood adjourned to meet again Friday, December 27, at twelve o'clock M.

CHARLES H. MERRITT,
Secretary of the Senate.

OFFICIAL JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

EXTRA SESSION

OF THE

THIRD GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA

Fourteenth Day's Proceedings.

HOUSE OF REPRESENTATIVES, December 27, 1872.

The House met pursuant to adjournment, Speaker Charles W. Lowell in the chair.

On call of the roll the following members answered to their names:

Speaker Lowell and Messrs. Allain, Antoine, Bryant, Boyd, Blackstone, Barrow, Connaughton, Cousin, Demas, R. R. Davis, Decker, Devezin, Dumont, Dayries, Dewees, Elliot, Greene, Gantt, Guichard, Heffner, Hubeau, Hahn, Hedgepath, Paul Jones, Keating, Kenyon, Kern, Keys, Lewis, Murrell (Madison), Mahoney, Mayo, Martinet, Montaldo, Paris, Rochon, Rodrigues, Souer, Stewart, Sartain, Snaer, Southard, Sutton, Sewell, Thomas, Williams, Wilson, Worthy, Washington, Ward, Wands, Young—54.

Quorum present.

Prayer by the Rev. E. Green.

On motion of Mr. Montaldo, the reading of the journal in detail was dispensed with.

On motion of Mr. Allain, of West Baton Rouge, the journal was approved.

The Speaker announced the following committees:

Committee on Railroads—L. J. Souer, of Avoyelles, chairman; E. W. Dewees, of Red River; W. H. Keys, of Terrebonne; J. Connaughton, of Rapides; C. W. Keeting, of Caddo; George Devezin, of Orleans; A. C. Bickham, of Washington.

Committee on Lands and Levees—E. W. Dewees, of Red River, chairman; J. Hedgpath, of St. James; Arthur Antoine, of St. Mary; J. Heffner, of Caddo; J. P. Wilson, of East Baton Rouge; H. Mahoney, of Plaquemines; —Judice, of Lafayette.

Committee to investigate the affairs of the Crescent City Live Stock and Slaughter-house Company—Charles Montaldo, of Orleans, chairman; Isaac Sawyer, of Assumption; Augustus Williams, of East Baton Rouge; Schaler Marvin, of Catahoula; J. R. Smart, of Vernon.

Committee to examine into the affairs of the Louisiana Lottery Company, and whether they have complied with their charter—James Laws, of East Feliciana, chairman; T. E. Heath, of Webster; George Washington, of Concordia; J. S. Mathews, of Tensas; T. G. Davidson, of Livingston.

Committee to investigate the expenses incurred on account of registration and elections of 1872—W. H. Decker, of Orleans, chairman; T. T. Allain, of West Baton Rouge; B. Dayries, of Pointe Coupee.

Committee to investigate the affairs of the New Orleans Gaslight Company—Charles Montaldo, of Orleans, chairman; J. R. Stewart, of Tensas; A. J. Cousin, of St. Tammany; Isaac Sutton, of St. Mary; R. F. Guichard, of St. Bernard.

Committee to examine the affairs of Morgan's Texas railroad and Houma branch—W. H. Keys, of Terrebonne, chairman; D. C. Davis, of St. Helena; John Barrow, of Orleans; William Murrell, of Latourche.

Committee to investigate whether the Jefferson City Gaslight Company have complied with the terms of their charter—A. Dejoie, of Orleans, chairman; T. M. Gantt, of Morehouse; L. A. Martinet, of St. Martin; J. T. Little, of St. Landry; H. Demas, of St. John.

Mr. Gantt, of St. Landry, asked to be excused from serving on the Committee on Enrollment.

Granted.

RESOLUTIONS.

The following resolutions, introduced by Mr. Wands, of Tangipahoa, chairman of the Committee on Ways and Means, under a suspension of the rules, were adopted:

Resolved, That the Auditor of Public Accounts be requested to furnish to this House a detailed statement of the amount paid over to him or either of his predecessors, under the provisions of sections five, six and eight of an act of the General Assembly, approved March 8, 1869, No. 118 of session laws.

Resolved, That the Committee on Ways and Means be instructed to ascertain what amount of warrants and bonds (if any) have been issued by the Auditor of Public Accounts, and what disposition has been made of the same; and also what amount of tax has been assessed, collected or paid into the treasury, under the provisions of Act No 31, session laws of 1871.

Resolved, That the Committee on Ways and Means be instructed to investigate and make early report as to the amount of bonds, with date thereof, issued under the provisions of act No. 69, approved March 16, 1870, and at what price the said bonds were sold, and the amount of money paid into the treasury of the State resultant from said sale; also, what amount of bonds have been exchanged for outstanding debts, as per section three of said act, together with a detailed statement of the nature and amount of debts so exchanged; and, also, to make reports in detail of the nature and amount of debts so exchanged; and, also, to make report in detail of the nature and amount of indebtedness liquidated under the provisions of section two of said act and section one of act No. 43, approved March 4, 1871; and, also, to make report of the amount of tax assessed, collected or paid into the treasury of the State under the provisions of said act No. 69; and to carry out the provisions of this resolution the said committee are authorized to send for persons and papers, compel the attendance of witnesses; and the said committee are further instructed to ascertain and report the amount of outstanding indebtedness of the State, whether in warrants of any kind, certificates of indebtedness, past due coupons, or any other obligation whatever.

Resolved, That the Committee on Ways and Means be instructed to investigate and make immediate report, as to the amount of tax levied or collected, or paid into the treasury, under the provisions of an act No. 31, approved February 21, 1870; and also the amount of bonds issued and delivered, whether State bonds or companies' bonds, guaranteed under provisions of said act; also, what amount of bonds, if any, have been issued and delivered, and to whom, and what amount of tax, if any, has been assessed or collected, or paid into the treasury under the provisions of act No. 95, approved April 20, 1871, and also, what number of certificates of stock, if any, have been issued to the State, and at what date they were issued, and where said certificates are now deposited; and, also, whether the contracts directed to be made and executed by the first section of said act No. 95 have been made and executed, and if so, to furnish this House with copies of the said contracts, and in order to carry out fully the intents and purposes of this resolution the Committee on Ways and Means are authorized to send for persons and papers, compel the attendance of witnesses and employ an expert accountant.

Mr. Wands, of Tangipahoa, moved to reconsider the above resolution and lay said motion on the table.

Carried.

MESSAGE FROM THE GOVERNOR.

STATE OF LOUISIANA, Executive Department, New Orleans, December 26, 1872.

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

I am directed by his excellency the acting Governor to inform your honorable body that he has approved and signed the bill originated in the House of Representatives, to wit:

An act to punish the crime of bribery, etc.

H. A. CORBIN, Private Secretary.

NOTICES OF BILLS.

The following gentlemen gave notice that they would at some future day introduce the following bills:

By Mr. Montaldo, of Orleans:

An act to set apart the fourth day of March as a State holiday.

By Mr. Paris, of Orleans:

An act to provide for a full and prompt payment of the salaries of the officers, members and employes of the Metropolitan Police force.

By Mr. Souer, of Avoyelles:

An act making an appropriation of $4500 for the payment of the per diem of the members and employes of the board of returning officers of 1872, and the contingent expenses thereof.

The following resolution, introduced by Mr. Stewart, of Tensas, lies over under the rules:

To amend the rules so as to include a Committee on Reform and Retrenchment, to be composed of five members.

Under a suspension of the rules, the following bill was introduced by Mr. Greene, of Jackson:

House bill No. 31, requesting the Senators and Representatives in Congress to obtain a United States judicial district in North Louisiana.

Passed first and second readings under a suspension of the constitutional rules.

On motion of Mr. Murrell, of Madison, the bill was considered engrossed.

Under a further suspension of the rules the bill passed its third reading, and on its final passage the yeas and nays were demanded by Messrs. Hahn, of St. Charles, and Murrell, of Madison, resulting as follows:

Yeas—Antoine, Bryant, Boyd, Blackstone, Cousin, R. R. Davis, Decker, Devezin, Dejoie, Dumont, Dewees, Greene, Gantt, Heffner, Heath, P. Jones, Keating, Kern, Lewis, Murrell (Madison), Mahoney, Souer, Stewart, Sartain, Southard, Sutton, Sewell, Thomas, Williams, Wilson, Washington—30.

Nays—Allain, Bowman, Barrow, Connaughton, Davries, Elliot, Guichard, Hubeau, Hahn, Kenyon, Keys, Mayo, Martinet, Montaldo, Rochon, Rodrigues, Snaer, Worthy, Ward, Wands, Young—27.

No quorum voting, the House, on motion of Mr. Rochon, of St. Martin, adjourned until to-morrow at twelve o'clock M.

WILLIAM VIGERS,
Chief Clerk.

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

No. 5.

JOINT RESOLUTION

Relative to extending the time of final payment of the State tax collectors.

Be it resolved by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That the Auditor of Public Accounts be and is hereby authorized to extend the time for the final payment of State tax collectors, parish of Orleans excepted, for a period not exceeding thirty days from the time now required by law, when in his judgment the public interest may require it.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) A. B. HARRIS,
President of the Senate and Acting Lieutenant Governor.
Approved December 27, 1872.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and Acting Governor of Louisiana.
A true copy:
GEORGE E. BOVEE,
Secretary of State.

No. 6.

JOINT RESOLUTION

Providing for the appointment of a joint committee on the conduct of the late election in the State of Louisiana.

Resolved, by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That a joint committee of three from the Senate and five members from the House be appointed respectively by the President of the Senate and Speaker of the House to investigate the conduct of the late election in the State of Louisiana, with power to send for persons and papers, and to administer oaths to witnesses, and that the returning board be requested, in aid to said joint committee, to submit for its examination the originals or copies of all papers, statements, documents or other evidence of any kind in their possession on the subject.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) A. B. HARRIS,
Lieutenant Governor and President of the Senate.
Approved December 27, 1872.
(Signed) P. B. S. PINCHBACK,
Governor of the State of Louisiana.
A true copy:
GEORGE E. BOVEE,
Secretary of State.

No. 4.

AN ACT

To punish the crime of bribing.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That if any person shall directly or indirectly give any sum or sums of money, or any other bribe, present or reward, or any promise, contract, obligation or security for the payment or delivery of any money, present or reward, or any valuable thing, to obtain or procure the opinion, verdict, judgment or decree of any juror or juries of any kind, or of any judge or judges of the State of Louisiana, in any suit, controversy matter or cause depending before him or them, and shall be convicted, such person or persons, so giving, promising, contracting or securing to be given, paid or delivered, any sums of money, present, reward or other bribe as aforesaid, shall, on conviction before any court of competent jurisdiction, be fined not less than one hundred dollars nor more than one thousand dollars for each offense, and imprisoned at the discretion of the court, not to exceed twelve months for each offense, and the juror, judge or judges, who shall in any wise accept or receive any such bribe, on conviction thereof, shall be fined and imprisoned at the discretion of the court, and shall be forever disqualified from holding any office under the State of Louisiana.

SEC. 2. Be it further enacted, etc., That if any person or persons shall directly or indirectly promise, offer or give, or cause or procure to be premised, offered or given, any money, goods, rights or valuables, bribe, present or reward, or any promise, contract or understanding, obligation or security for the payment or delivery of any money, goods, rights, bribe, present or reward, or any other valuable thing whatever to any member of the Senate or House of Representatives of the State of Louisiana, after his election as such member, and either before or after he shall have qualified and taken his seat, or to any officer of the State of Louisiana, whether such officer be a State officer, a parochial officer, a municipal officer, and whether such officer be legislative, executive, judicial or ministerial, or in the discharge of any official function under or in connection with any department of the government of the State of Louisiana, or under the Senate or House of Representatives of the State of Louisiana, after the passage of this act, with intent to influence such officer or Senator or Representative in the decision of any question, matter, cause or proceeding which may then be pending, or may by law or under the constitution of the State of Louisiana be brought before him in his official capacity, or in his place of trust or profit, and shall thereof be convicted, such person or persons so offering, promising or giving, or causing or procuring to be promised, offered or giving any such money, goods, rights, bribe, present or reward, or any promise, contract, undertaking obligation or security for the payment or delivery of any money, goods, rights, bribe, present or reward, or other valuable thing whatever, shall be liable to indictment before any court of competent jurisdiction in the State of Louisiana, and shall, on conviction, be fined not less than one hundred dollars, nor more than one thousand dollars for each offense, and shall be imprisoned at hard labor not less than three months nor more than one year for each offense, and the member of the General Assembly or officer who has been convicted of accepting any such bribe shall forfeit his office or trust, and be forever disqualified from holding any office of honor, trust or profit under the government of the State of Louisiana, and shall be fined not less than one hundred dollars nor more than one thousand dollars, and be imprisoned at hard labor not less than three months nor more than one year for such offense.

SEC. 3. Be it further enacted, etc., That it is made the duty of any member of the General Assembly, judge or clerk, or other persons holding a place of honor or profit or trust under the government of the State of Louisiana, who has been offered or tendered any bribe or reward for performing any official act, either as judge, clerk of court or parochial, municipal or ministerial office, to inform on such person or persons; provided, that no prosecution under the act shall be allowed, unless the same is instituted and commenced within one year from the date of the commission of the offense.

SEC. 4. Be it further enacted, etc., That it is made the duty of every judge in the State of Louisiana exercising criminal jurisdiction in the State to give this act specially in charge of the grand jury at their regular sessions.

SEC. 5. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) A. B. HARRIS,
President of the Senate, Acting Lieutenant Governor.
Approved December 10, 1872.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor, Acting Governor of the State of Louisiana.
A true copy:
GEORGE E. BOVEE,
Secretary of State.

No. 1.

AN ACT

Relative to the office of Attorney General, and directing the discontinuance of certain proceedings before the Supreme Court of the United States.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened: Whereas, The Hon. A. P. Field has been duly promulgated as having been elected to the office of Attorney General of this State; and, whereas, such promulgation is by law made evidence of title to said office against all persons until after judicial decision adverse to the same; and, whereas, the said Field has been duly commissioned as the Attorney General of this State; and, whereas, other persons are claiming to represent the State of Louisiana in judicial proceedings. That the said A. P. Field, and his legal successors, and those acting under him or them be alone authorized to institute or continue in the name of the State of Louisiana any suit or judicial proceeding, and all other persons are prohibited from doing the same, provided that nothing herein shall be construed to prevent the executive of the State from directing the institution of any proceeding in the State courts which in his opinion his duty as executive may render necessary.

SEC. 2 Be it further enacted, etc., That the said A. P. Field is authorized and instructed to discontinue any and all proceedings instituted in the Supreme Court of the United States by H. N. Ogden or any other person in the name of the said State.

SEC. 3. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) A. B. HARRIS,
President of the Senate, Acting Lieutenant Governor.
Approved December 10, 1872.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor, Acting Governor of the State of Louisiana.
A true copy:
GEORGE E. BOVEE,
Secretary of State.

No. 2.

AN ACT

To establish an additional district court for the parish of Orleans; to define and limit the jurisdiction, and to determine the powers thereof; to provide for the transfer of certain cases now depending before certain other district courts for said parish to the court hereby created; to authorize the Governor to appoint a judge and a clerk for said court, and to provide a court room for said court; to abolish the Seventh and Eighth District Courts for the parish of Orleans, and to provide for the transfer of the records and suits in said Seventh and Eighth District Courts to other courts in said parish.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That there shall be, and is hereby established, an additional district court for the parish of Orleans, which shall be known and designated as the Superior District Court for the parish of Orleans.

SEC. 2. Be it further enacted, etc., That the Superior District Court hereby created shall have exclusive jurisdiction in and for the parish of Orleans, to issue writs of injunctions, mandamuses, quo warranto, and to entertain all proceedings, and to try all cases or actions in which the right to any office, State, parish or municipal, is in any way involved. The said Superior District Court shall also have exclusive original jurisdiction in and for the parish of Orleans, over all cases or proceedings in which the State of Louisiana, the municipal corporation of the city of New Orleans, the Board of Metropolitan Police, the Board of School Directors for the city of New Orleans, or any corporation established by act of the General Assembly, and domiciled in the parish of Orleans, shall be a party, or be interested, where the amount in dispute shall exceed the sum of one hundred dollars, and said court shall have appellate jurisdiction from the justices of the peace in the parish of Orleans in all cases in which the State, the city of New Orleans, the Board of Metropolitan Police, the Board of School Directors, or any such corporation aforesaid shall be a party or be interested, and shall have power to issue writs of prohibition, injunction, mandamus and certiorari in aid of such appellate jurisdiction; provided, that nothing in this act shall be construed to in any manner limit or affect the jurisdiction and power of the Supreme Court of the State of Louisiana to issue, hear and determine any and all writs or orders which by the constitution or by the existing laws said court has authority to issue, hear and determine; and provided further, that this act shall not be construed to prevent the Second District Court for the parish of Orleans from exercising all the powers granted by section five of act No. 2 of the special session of 1870, approved March 16, 1870, or the Third District Court for the parish of Orleans from exercising the powers granted in section seven of said act; and provided still further, that this act shall not be held to deprive any judge or court of the power to issue injunctions to stay the execution of any order of seizure and sale, or any writ of execution or possession granted by such judge or court, and shall not be held to deprive any such judge or court of the power to issue the writ of injunction to stay the execution or enforcement of any judgment rendered or order of sequestration, attachment or provisional seizure, made by such judge or court. The power reserved to the Second and Third District Courts to issue writs of mandamus and injunction in aid of their special jurisdiction, and the power reserved to each of the district courts to issue writs of injunction to stay proceedings in said courts, as herein set forth, shall be exclusive of the Superior District Court herein created.

SEC. 3. Be it further enacted, etc., That in any case in which an injunction shall issue from the Superior District Court hereby established, against any party or parties to any suit or proceeding, depending before any other district court for said parish, except the Probate Court, it shall be the duty of the judge and clerk of such court in which such suit or proceedings is depending to immediately transfer the record of such suit or proceeding to the said Superior District Court, which shall be vested with power to hear and determine such cause as if the same had been originally brought in said Superior District Court. Immediately upon the passage of this act it shall be the duty of the judges of the Third, Fourth, Fifth and Sixth District Courts for the parish of Orleans to transfer to the Superior District Court for the parish of Orleans all suits or proceedings, the jurisdiction over which is, by this law, vested in said Superior District Court. The said Superior Court for the parish of Orleans shall be and is hereby vested with jurisdiction over all such suits or proceedings so to be transferred, and with he same power to hear and determine such suits and proceedings so to be transferred, as if the same had been originally brought in said Superior District Court. All suits or proceedings depending in the Seventh and Eighth District Courts for the parish of Orleans, the jurisdiction over which is by this law vested in the Superior District Court for the parish of Orleans, whether determined or not, are hereby transferred and declared to be pending in said Superior District Court from and after the passage of this act. The said Superior District Court is hereby declared to be and is hereby vested with jurisdiction over all such suits and proceedings as if they had been originally brought in said Superior District Court, and shall be proceeded with in said Superior District Court, and tried and determined, and process issued and executed therein and by said court in the same manner as if such suits or proceedings had been commenced originally in said Superior District Court for the parish of Orleans. The judge of said Superior District Court for the parish of Orleans shall have power and authority, at the instance of any party interested, or at the instance of the Attorney General of the State, to direct writs of mandamus and injunction to the clerks of said other district courts, to the parties to any suit or suits and their attorneys, or to any person or persons interfering, in all cases in which it may be necessary or expedient to protect the jurisdiction of said Superior District Court as conferred by this act. In case any suit, or proceeding over which the said Superior District Court shall have exclusive jurisdiction, shall at any time hereafter be depending in any other district court for the parish of Orleans, and the judge of said court shall neglect, or refuse to allow an order of transfer of such cause, or proceeding, to the said Superior District Court, then and in that case either party to such suit, or proceeding, may cause to be filed in the said Superior District Court certified or sworn copies of the citation or citations, petition and pleadings in such suit or proceedings; and the said Superior District Court shall proceed to hear and determine such suit or proceeding exclusive of such other court, the same in all respects as it such suit or proceeding had been originally instituted or commenced in such Superior District Court.

SEC. 4. Be it further enacted, etc., That all acts of the General Assembly regulating the practice in the district courts of the parish of Orleans, except so far as they may be inconsistent with this act, or contrary to its provisions, shall apply to and bind the judge and clerk of the Superior District Court of the parish of Orleans.

The judge of said Superior District Court shall be a member of the board of district judges for the parish of Orleans, organized by act No. 59, of the session of 1872, approved April 23, 1872. The judge of the Superior District Court shall have power to establish and ordain rules of court in relation to the special jurisdiction of said court; provided, that no such rule shall conflict with a law of the State. Where the rules of the district courts for the parish of Orleans do not conflict with the rules so to be adopted by said judges, they shall have force in said Superior District Court.

SEC. 5. Be it further enacted, etc., That the Superior District Court for the parish of Orleans shall occupy the courtroom, clerk's office and chambers now occupied by the Eighth District Court for the parish of Orleans, unless the city of New Orleans, with the concurrence of the judge of said Superior District Court, shall provide another courtroom and offices for said new court. But the judge of said Superior District Court may hold court in any other room, if, for any reason, it is impossible or inconvenient to occupy said Eighth District courtroom.

SEC. 6. Be it further enacted, etc., That the offices of judge and clerk of the Superior District Court for the parish of Orleans, hereby established and organized, shall be deemed to be vacant as in case of original vacancy. The Governor shall at once fill such vacancies by appointment, under the provisions of the act of the General Assembly approved August twenty-eighth, eighteen hundred and sixty-eight, and entitled "an act to determine the mode of filling vacancies in all offices for which provision is not made in the constitution." After the expiration of the commissions so to be issued, the said offices shall be filled by election, in the same manner and at the same time that the other district judges throughout the State shall be elected. The judge of said court shall receive the same salary received by other judges of district courts. The clerk of said court shall have the same powers as other clerks of district courts, and shall receive the same emoluments. The judge of the Superior District Court shall have the right to name the minute clerk of said court, and may appoint a stenographer, who, with the minute clerk, shall be under the immediate direction of the judge. The minute clerk and the stenographic writer shall be paid by the clerk of said court such salaries as the judge of said court shall fix.

SEC. 7. Be it further enacted, etc., That the act of the General Assembly, approved March 16, 1870, entitled "an act to establish an additional district court for the parish of Orleans, to define the jurisdiction thereof, and to reorganize and determine the jurisdiction of the existing seven district courts for the parish of Orleans," be and the same is hereby repealed, in so far as it establishes and organizes the Eighth District Court for the parish of Orleans; it being the intent and purpose of this act to abolish the said Eighth District Court for the parish of Orleans, and the said Eighth District Court for the parish of Orleans be and is hereby abolished. All suits or proceedings, and the records thereof, now depending in said Eighth District Court for the parish of Orleans, which are not, by the provisions of this act, transferred to the Superior District Court herein established, are hereby transferred to the Fifth District Court for the parish of Orleans, and the said suits or proceedings are declared to be pending in said Fifth District Court, from and after the passage of this act. The records of all suits heretofore brought in said Eighth District Court, whether determined or not, and not hereinbefore transferred to said Superior District Court, are hereby transferred to said Fifth District Court. All suits or proceedings so tranferred shall be proceeded with in said Fifth District Court, and tried and determined, and process and judgment issued and executed therein, and by said court, in the same manner as if the same had been commenced originally in said Fifth District Court for the parish of Orleans.

SEC. 8. Be it further enacted, etc., That the Seventh District Court for the parish of Orleans be and is hereby abolished. All suits and proceeding now depending in said Seventh District Court for the parish of Orleans, which are not by the provisions of this act transferred to the Superior District Court herein established, are hereby transferred to the Fourth District Court for the parish of Orleans, and the said Fourth District Court is hereby vested with jurisdiction to hear and determine such suits or proceedings as if the same had been originally brought in said Fourth District Court, and the said suits or proceedings are declared to be pending in said Fourth District Court from and after the passage of this act. The records of all suits or proceedings heretofore brought in said Seventh District Court, whether determined or not, and not hereinbefore transferred to said Superior District Court, are hereby transferred to said Fourth District Court, and all proceedings so transferred shall be proceeded with in said Fourth District Court, and tried and determined, and process and judgment issued and executed therein and by said Fourth District Court, in the same manner as if the same had been commenced originally in said Fourth District Court for the parish of Orleans.

SEC. 9. Be it further enacted, etc., That all laws or parts of laws in conflict with this act be and the same are hereby repealed, so far as they are in conflict, and this act shall have force and effect from and after its passage.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) A. B. HARRIS,
President of the Senate and Acting Lieutenant Governor.
Approved December 11, 1872.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and Acting Governor of Louisiana.
A true copy:
GEO. E. BOVEE,
Secretary of State.

No. 3.

JOINT RESOLUTION

Extending the time of the extraordinary session of the General Assembly.

WHEREAS, The proclamation of his excellency the Governor of Louisiana, convening the General Assembly in extraordinary session December 9, 1872, limits the term thereof to the period of ten days; and

Whereas, Subjects referred to the General Assembly by the respective messages of Acting Governor P. B. S. Pinchback demand immediate attention and action, and for this and other necessary purposes arising from the revolutionary action of H. C. Warmoth and his abettors at Lyceum Hall, make an extension of the session beyond ten days necessary; therefore, be it

Resolved by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That the present session of the General Assembly be and is, according to the provisions of the law by which the same is convened, thereby extended to and including the first Monday in January, 1873, at twelve o'clock M., unless the business on hand being finished, said General Assembly should adjourn at an earlier day; and that this joint resolution shall take effect from and after the approval of the Governor.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) A. B. HARRIS,
Lieutenant Governor and President of the Senate.
Approved December 18, 1872.
(Signed) P. B. S. PINCHBACK,
Acting Governor of the State of Louisiana.
A true copy:
E. B. MENTZ,
Assistant Secretary of State.

Regular Session of 1872.

No. 79.

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.

WHEREAS, His Excellency H. C. Warmoth, Governor of the State of Louisiana did, on the twenty-second day of July eighteen hundred and sixty-nine, cause to be published his proclamation offering a reward of one thousand dollars for the arrest and conviction of one T. B. Beavers, charged with the crime of murder; and

Whereas, J. H. Wisner, sheriff of Ouachita parish, and his deputy, Henry G. Dobson, did arrest the said T. B. Beavers after incurring much trouble and expense; and

Whereas, The said Beavers, after an examination before the Hon. Robert Ray, parish Judge of Ouachita parish, was committed to jail on the charge of murder; and

Whereas, The said jail was soon after broken open, the sheriff and one of the principal witnesses in the Beavers' case were murdered, and the said T. B. Beavers rescued from jail by a mob of unknown men; therefore

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the sum of one thousand dollars be and is hereby appropriated out of any money in the treasury, not otherwise appropriated, for the purpose of reimbursing and compensating the heirs and legal representatives of J. H. Wisner and his deputy, H. G. Dobson.

SEC. 2. Be it further enacted, etc., That this act shall take effect and be in force from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved May 18, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. HERRON,
Secretary of State.

No. 94.

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 the keeping of the same in repair, and to authorize said police jury to levy a special tax for said purpose.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That it shall be the duty of the police jury of the left bank, parish of Jefferson, and it is hereby authorized and empowered to pass and adopt, within ten days from the passage of this act, the necessary ordinances and resolutions for the construction within one year from the adjudication of the contract, of a shell road extending along the Metairie ridge in said parish of Jefferson, from the New Orleans canal west as far as the Labarre road, and at the option of said police jury along the Labarre road to the river Mississippi; said road shall be in all respects a first class shell road, and shall be built in accordance with the specifications to be furnished by the surveyor of the parish; and it shall be the duty of the police jury to cause the surveyor of said parish, or of some other, in case there be no such officer, to furnish the necessary plans, lines, grades, levels, curves, etc., and to take the general superintendence, in accordance with the specifications furnished, and the cost of this shall be assumed by the contractors.

SEC. 2. Be it further enacted, etc., That the cost of the construction of said shell road shall be borne in equal proportions, one-half each by the front proprietors bordering on said road, pro rata, and the said police jury of the left bank, parish of Jefferson, and the proportion of the front proprietors shall remain a lien and privilege superior to all other liens and privileges upon the property fronting on said road in favor of the contractors thereof, until fully paid, by recording the bills for the same, duly certified by the surveyor of said parish, in the office of the recorder of said parish.

SEC. 3. Be it further enacted, etc., That it shall be the duty of said police jury of the left bank, parish of Jefferson, within ten days from the passage of this act, to advertise for ten days in the official papers of the parishes of Jefferson and Orleans for proposals, to be sealed and directed to said police jury, and to be opened by them in open and public meeting of said police jury on a day to be named in said advertisement, when said police jury shall proceed to adjudicate the contract to build said road to the lowest bidder, and shall proceed, in such form as said police jury shall determine, to make a formal contract in accordance with the plans and specifications, and said lowest proposal, with said lowest bidder, and may require of such lowest bidder such security as said police jury may think proper for the faithful performance of the contract within such time as the said police jury and said contractors may agree, it being understood that this shall not exceed one year.

SEC. 4. Be it further enacted, etc., That from and after the completion of said shell road hereinbefore provided for, it shall be the duty of said police jury, during the month of December of each and every year, to appropriate a sufficient sum of money out of its treasury to keep said road in repair during the current year, which sum shall not be appropriated to any other purpose.

SEC. 5. Be it further enacted, etc., That upon the completion of said shell road, and said completion having been duly certified to, according to the provisions of this act, it shall be the duty of said police jury of the left bank, parish of Jefferson, to at once pay to the builders of said road, or otherwise settle with them, as both parties to the contract may agree, the proportion of the police jury being one-half the total cost thereof; and should there not be sufficient funds in the treasury, the police jury are hereby authorized to levy a special tax sufficient to pay the sum required upon all the taxable property in the left bank, parish of Jefferson, to be equally assessed according to the last assessment made before the levying of such special tax; and upon the collection of such special tax, which shall be immediately proceeded with, said police jury shall pay its proportion of the cost of the shell road herein provided for.

SEC. 6. Be it further enacted, etc., That all laws or parts of laws contrary to or inconsistent with the provisions of this act are hereby repealed.

SEC. 7. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
A true copy:
J. W. FAIRFAX,
Assistant Secretary of State.

Received in the office of Secretary of State August 6, 1872.

The foregoing act having been presented to the Governor of the State of Louisiana for his approval, and not having been returned by him to the house of the General Assembly in which it originated within the time prescribed by the constitution of the State of Louisiana, has become a law without his approval.

No. 99.

AN ACT

For the relief of G. M. and J. W. Murrell, of the parish of Iberville.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That inasmuch as the real estate and other property of G. M. and J. W. Murrell, of the parish of Iberville, situated in the said parish, have, on the assessment roll of the year 1871, been erroneously valued at, the sum of fifty-seven thousand five hundred and twenty dollars, upon which the State, parish and school taxes for the year 1872, have been levied, the collectors of the State and parish taxes for the said year 1872 be and they are hereby authorized and directed to reduce the said assessment to the sum of thirty-six thousand and five hundred dollars which is the real value of said property, and to collect the State, parish and school taxes on said property upon the said amount, notwithstanding the first assessment made thereof.

SEC. 2. Be it further enacted, etc., That all laws or parts of laws contrary to or inconsistent with this act be, and the same are hereby repealed, and that this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved November 30, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
Y. A. WOODWARD,
Assistant Secretary of State.

No. 100.

AN ACT

To authorize the New Orleans, Baton Rouge and Vicksburg Railroad Company to select the point or points for the commencement of their 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.

WHEREAS, By the act of Legislature of the State of Louisiana, approved December 30, 1869, entitled an act to incorporate "the New Orleans, Baton Rouge and Vicksburg Railroad Company, and to expediate the construction of their road," the Governor of the State was authorized to indorse the guarantee of the State upon the second mortgage bonds of said railroad company to the amount of twelve thousand five hundred ($12,500) dollars per mile upon the completion of each twenty miles of road; and,

Whereas, Said company has, by act of Congress (approved March 3, A. D. 1871), entitled an act to incorporate the Texas Pacific Railroad Company, and to aid in the construction of its road, and for other purposes, become the recognized branch of the Texas Pacific railroad, from its eastern terminus, through the States of Texas and Louisiana, to the city of New Orleans, and under such act of Congress have become the grantees of every alternate section of land in a belt of forty miles each side of said line of railroad from New Orleans to the State line in Louisiana, and said act of Congress has been executed by the government of the United States by the withdrawal of all the public lands within the aforesaid boundary for sale or entry under any law; and whereas the early commencement, construction and completion of the New Orleans, Baton Rouge and Vicksburg railroad is secured by said grant of land from the United States government and the legislation herein provided.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the New Orleans, Baton Rouge and Vicksburg Railroad Company shall have full power and authority to commence the construction of their road in the city of New Orleans or Shreveport, or at any intermediate point or points on their line of road, as may best suit the convenience of said company, and facilitate the speedy construction of a continuous line from the city of New Orleans to the city of Shreveport, or perfect railroad communication with the Texas Pacific railroad, or any other railroad in Northwestern Louisiana, at or near the Louisiana State line; provided, however, that said company shall construct the line of its road between the city of New Orleans and the city of Baton Rouge, on the east side of the Mississippi river, to the corporate limits of the said city of Baton Rouge, or adjacent thereto. And the said New Orleans, Baton Rouge and Vicksburg Railroad Company is hereby authorized to issue, from time to time, as it shall deem proper, its first mortgage bonds, to an amount not exceeding thirty thousand dollars per mile upon its line of railroad, or any part thereof, and payable, principal and interest, in gold or currency, at the option of the said company, with interest coupons annexed. The maturity of said bonds may be fixed by said company at any time not exceeding forty years from the date thereof, and bearing interest at a rate not exceeding eight per cent per annum, and the said coupons payable semi-annually, on the presentation thereof in the city of New York, or at such other place or places as the company may designate; and the mortgage thus to be given to secure the payment of said bonds and coupons shall carry with it a first lien and privilege upon the real and personal property and effects of said company, and all lands acquired by act of Congress or otherwise; provided, however,