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OFFICIAL JOURNAL

OF THE

PROCEEDINGS OF THE SENATE

REGULAR SESSION

OF THE

THIRD GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA.

Third Day's Session.

SENATE CHAMBER,
New Orleans, January 9, 1873.

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:

Hon. A. B. Harris, President, and Messrs. Anderson, Alexander, Barber, Blackburn, Blunt, Burch, Brewster, Greene, P. F. Herwig, E. F. Herwig, Hunsaker, Harper, Jenks, Kelso, Masicot, Noland, Swords, Sypher, Stamps, Todd, Twitchell, Weber, Wharton—24.

The President of the Senate announced a quorum present.

Prayer by the Chaplain.

Reading of the minutes of Tuesday's proceedings was dispensed with, and the President announced that the journal of yesterday's proceedings stood approved, after the same had been corrected.

NOTICE OF BILLS.

By Mr. Brewster:

A bill to repeal an act to reorganize the bureau of immigration, and for measures to develop the resources and increase the population and wealth of the State of Louisiana.

By Mr. Brewster:

An act for the expropriation and means of acquiring lands by the United States for the erection of lightkeeper's house, signal stations, range lights, warehouses and revenue stations.

By Mr. Blunt:

A bill to establish a steam ferry at Grand Ecore, Red river.

By Mr. Blunt:

A bill for the relief of Osborn Harris, of the parish of Orleans.

INTRODUCTION OF BILLS ACCORDING TO PREVIOUS NOTICE.

By Mr. Burch:

A bill to be entitled an act granting corporate privileges to the inhabitants of the city of Baton Rouge, in the parish of East Baton Rouge, and to provide for the government of the affairs thereof, and to repeal an act entitled "An act to amend the several acts relative to the police government of the city of Baton Rouge, approved April 2, 1853, and to repeal all acts amendatory thereto, and to repeal an act to provide for the government of the city of Baton Rouge, approved March 8, 1856, and to repeal all acts amendatory thereto.

The bill was read the first time by unanimous consent.

The Senate then ordered by a four-fifths affirmative vote the constitutional rule dispensed with, in order to read the bill the second time.

The President directed the second reading of the bill.

The bill having been read the second time was ordered by the Senate to be printed, and the usual number of copies to be furnished the Senate for the use of its members, and also committed to the Committee on Corporations.

By Mr. Butler, by unanimous consent:

A bill to be entitled an act to authorize the police jury of the parish of Plaquemines to issue bonds for the purpose of paying the indebtedness of the parish for repairing the public buildings and for repairing the Cut-off road.

The bill having been read the first time the Senate dispensed with the constitutional rule by a four-fifths affirmative vote, the bill ordered read the second time and committed to the Committee on Judiciary.

UNFINISHED BUSINESS OF THE EXTRAORDINARY SESSION.

Mr. Brewster asked leave to call up the joint resolution creating a judicial district of the United States in North Louisiana, together with the favorable report of the Committee on Judiciary.

The President decided that the joint resolution was not within the control of the Senate, the said joint resolution being of the subject matter introduced and acted upon in the extraordinary session, there having been no order of the Senate bringing up the unfinished business of that session.

On motion of Mr. Barber, duly seconded, the Senate ordered that a committee of three be appointed by the President, to take up the unfinished business of the late extraordinary session, and report the same to the Senate with their recommendations.

The President declared the motion adopted, and appointed the following Senators the aforesaid committee: Messrs. Barber, Brewster and Blunt.

EXECUTIVE SESSION.

The Senate, on call duly seconded, went into executive session.

Executive session having been raised, the President ordered a call of the roll when the following Senators answered to their names:

Hon. A. B. Harris, and Messrs. Anderson, Alexander, Barber, Blackburn, Blunt, Butler, Burch, Brewster, Cage, Greene, P. F. Herwig, E. F. Herwig, Hunsaker, Harper, Ingraham, Jenks, Kelso, Masicot, Noland, Pollard, Swords, Sypher, Stamps, Todd, Weber, Wharton, Worrell—28.

The President announced that there was a quorum present.

The hour for the convening of the Senate as a court of impeachment, according to the adjournment of said court at its last session, having arrived, the Lieutenant Governor and President of the Senate, Hon. A. B. Harris, vacated the chair, to be taken by the Hon. J. T. Ludeling, Chief Justice of the State.

The Senate setting as a court of impeachment having adjourned, the President then resumed the chair and ordered the call of the roll.

The following members answered to their names on call of the roll:

Hon. A. B. Harris, President, and Messrs. Anderson, Alexander, Barber, Blackburn, Blunt, Butler, Burch, Brewster, Cage, Greene, P. F. Herwig, E. F. Herwig, Hunsaker, Harper, Ingraham, Jenks, Kelso, Masicot, Noland, Pollard, Swords, Sypher, Stamps, Twitchell, Weber, Wharton, Worrell—28.

The President announced that there was a quorum present.

EXECUTIVE SESSION AGAIN.

The Senate, on motion of Mr. Ingraham, duly seconded, went into executive session.

Executive session having been raised, the President ordered the call of the roll of the Senate, when the following answered to their names:

Hon. A. B. Harris, President, and Messrs. Anderson, Alexander, Barber, Blackburn, Blunt, Butler, Burch, Brewster, Greene, P. F. Herwig, E. F. Herwig, Harper, Ingraham, Jenks, Kelso, Masicot, Noland, Pollard, Swords, Sypher, Stamps, Todd, Twitchell, Weber, Wharton, Worrell—27.

The President announced that there was a quorum present.

CONCURRENT RESOLUTIONS.

On motion of Mr. Ingraham, the following resolution was adopted:

WHEREAS, Article fifty-one of the constitution provides that the Governor shall enter upon the discharge of the duties of his office on the second Monday of January next ensuing his election; therefore be it

Resolved, That a committee of three on the part of the Senate and five on the part of the House of Representatives be appointed by the presiding officers of each house to make all necessary arrangements for the inauguration of the Governor elect.

The Secretary was ordered to ask concurrence by the House to the said resolution.

On motion of Mr. Barber the Senate voted to adjourn until to-morrow at twelve o'clock M.

The President then announced that the Senate stood adjourned until to-morrow, Friday, January 10, 1873, at twelve o'clock M.

P. E. BECHTEL,
Secretary of the Senate.

OFFICIAL JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

REGULAR SESSION

OF THE

THIRD GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA

Fourth Day's Proceedings.

HOUSE OF REPRESENTATIVES,
New Orleans, January 10, 1873.

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, Armstead, Antoine, Bowman, Baker, Boyd, Benham, Blackstone, Boatner, Barrow, Carey, Connaughton, Cousin, Demas, Davidson, D. C. Davis, R. R. Davis, Decker, Devezin, Dejoie, Dayries, Dewees, Elliot, Fontelieu, Greene, Grant, Gair, Gantt, Guichard, Heffner, Hill, Hedgepath, P. Jones, M. Jones, Judice, Keating, Kenyon, Kern, Lewis, Landry, Lawes, Murrell (Lafourche), Murrell (Madison), Mayo, Marie, Mathews, Montaldo, Peyton, Page, Paris, Raby, Rodrigues, Souer, Sawyer, Stewart, Sartain, Soaer, Southard, Sutton, Sewell, Smart, Thomas, Tureaud, Williams, Worthy, Washington, Wiggin, Ward, Wands, Young—79.

Seventy members present and a quorum.

Prayer by the Rev. E. Green.

On motion of Mr. Demas, of St. John the Baptist, the reading of the journal in detail was dispensed with.

On motion, the journal was approved.

NOTICE OF BILLS.

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

By Mr. Sartain, of Carroll:

An act allowing justices of the peace in this State to collect fines in certain criminal cases.

By Mr. Blackstone, of Natchitoches:

An act relative to jurors in and for the State of Louisiana, to determine the qualifications of jurors, to prescribe the manner and fix the time of drawing jurors, etc.

By Mr. Demas, of St. John the Baptist:

An act entitled an act submitting to the people an amendment to the constitution, abolishing the Louisiana Lottery Company.

By Mr. Hubean, of Jefferson:

An act to establish and to set apart the parish of Jefferson exclusively on the right bank of the Mississippi river within the present standing boundaries, and providing for the complete organization as other parishes of this State.

Mr. Souer, of Avoyelles, chairman of the Committee on Railroads, made the following report:

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

Your committee, to whom was referred House bill No. 6, entitled an act to incorporate the Louisiana Central Railroad Company, beg leave to report the same favorably, with the following named amendments, viz:

In section one, line thirteen, strike out the word "road" and insert the word "way."

In section four, line thirty, strike out the word "road" and insert the word "way;" in line fifty-seven strike out the word "road" and insert the word "way;" in line sixty five strike out the word "road" and insert the word "way;" in line eighty strike out the word "road" and insert the word "way;" in line 100 strike out the word "road" and insert the word "way;" in line 109, after the word "grant," insert "from the United States, or otherwise by grant;" in line 110, after the word "bequest," insert "both real and personal property;" in line 111 after the word "hold" insert the word "such;" in line 122 strike out the word "road," and insert the word "ways;" in line 156 strike out the word "road" and insert the word "ways;" in line 161 strike out the word "road" and insert the word "ways;" in line 178 strike out the word "road" and insert the word "ways."

In section eleven, line four, strike out the word "road" and insert the word "ways."

In section twelve strike out all the words from line thirty-nine to line sixty-eight, and insert:

Provided that in case sufficient facilities for the transportation of freight and passengers coming over said Louisiana Central railway, destined to New Orleans or intermediate points, or connecting from New Orleans or intermediate points between New Orleans and Vermilionville, are not promptly furnished by the New Orleans, Mobile and Texas Railroad Company in pursuance of their agreement with E. B. Ward to that effect, made the sixteenth day of October, 1872, then the said Louisiana Central Railway Company are in that event hereby authorized and empowered to make arrangements with other railroad companies for the transportation of its passengers and freight to and from New Orleans. To locate, extend and construct their said lines of road, and to maintain, manage and use the same by running engines and cars with one or more tracks and suitable turnouts by such routes as its directors may fix from its said terminus at Vermillionville to the city of New Orleans, and to this end and for this purpose said Louisiana Central Railway Company are hereby invested with the same and any and all powers necessary thereto, and are also made subject to the same conditions in respect to such extension as are herein conferred and imposed upon said Louisiana Railway Company for the building of said railway from Vermillionville to Shreveport, in the State of Louisiana, as aforesaid.

In section twenty, line seven, insert after the word "Alexandria," the words, "and Natchitoches;" in line forty-seven, after the word "otherwise," insert "provided further, that the police juries of any of the above named parishes shall be required, on the written application of any fifty qualified voters of said parish, to submit said ordinance to the electors of said parish, and in any of the cities or towns above mentioned the mayor and town council, on the written application of any fifteen qualified electors, shall submit the agreement to the electors of said city or town."

Strike out all of section twenty-one and insert:

SEC. 21. Be it further enacted, etc., That nothing in this act contained shall be construed as interfering with or divesting the New Orleans, Mobile and Texas Railroad Company, or any other railroad company, of any of its rights or privileges under existing laws, nor shall it be construed as giving up or abandoning any right which the State of Louisiana may now have to stock or any other interest of or in the said New Orleans, Mobile and Texas Railroad Company; and this law shall not take effect or be of any force unless the company chartered by this act shall, through their board of directors, file in the office of the Secretary of State, within ninety days from and after the date of the passage and approval of this act a written acceptance thereof, signed by a majority of the directors of said company, and when so accepted the rights and franchises granted by this act to said company shall be deemed to be and shall be binding contracts between the State of Louisiana and the said company, and shall not be impaired, disturbed or modified by subsequent legislation, except with the consent and on the petition of said company; provided, that the terms and specifications of this charter are complied with.

SEC. 22. Be it further enacted, etc., That no distinction or discrimination shall be made by the Louisiana Central Railway Company on account of race, color or previous condition, between the persons employed in the construction and maintenance of their railways, or between passengers, either in their railway carriages, in their depot buildings or upon their ferry-boats, within this State.

SEC. 23. Be it further enacted, etc., That the said Louisiana Central Railway Company shall not employ any convicts that are under sentence in the State Penitentiary in the construction or maintenance of said railways.

SEC. 24. Be it further enacted, etc., That this act shall take effect and be in force from and after its passage, and that all laws or parts of laws conflicting with the provisions of this act be and they are hereby repealed.

L. J. SOUER, Chairman;
GEORGE DEVEZIN,
E. W. DEWEES,
J. CONNAUGHTON,
W. H. KEYS,
C. W. KEATING.

On motion of Mr. Souer, of Avoyelles, the report was received and the amendments to House bill No. 6, an act to incorporate the Louisiana Central Railway Company, was ordered to be printed in the journal and the bill made the special order of the day for to-morrow at 1 P. M.

Mr. Grant, of Morehouse, introduced the following resolution:

Be it resolved by the House of Representatives in General Assembly convened, That all members of the House of Representatives who have been declared elected as members of the House of Representatives by the returning board, who do not present themselves and qualify as such by Tuesday, January 14, 1873, that their seats then be declared vacant, and an election ordered to fill such vacancies.

Mr. Dewees, of Red River, moved to refer the resolution to the Committee on Election.

Carried.

Mr. Gair, of East Feliciana, moved the adoption of the following resolution, introduced by him on yesterday:

WHEREAS, The legal returning board, composed of Messrs. Lynch, Longstreet, Bovee and Hawkins, have carefully examined, counted and officially promulgated the election returns of the members elected to this House at the general election held November 4, 1872; therefore, be it

Resolved, That the members so returned and those who have been seated by the report of the Committee on Elections, be and they are hereby confirmed in their seats; provided that nothing in this resolution shall prevent a legal contest.

Mr. Gair, of East Feliciana, moved to amend by striking out the following: "Provided that nothing in this resolution shall prevent a legal contest."

Mr. Young, of Concordia, moved to lay the whole subject matter on the table, subject to call.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 10, 1873.

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

I am directed by the Senate to ask concurrence of your honorable body in concurrent resolution providing for a joint committee to make the necessary preparations for the inauguration of the Governor elect.

Very respectfully,
P. E. BECHTEL,
Secretary of the Senate.

On motion of Mr. Paris, of Orleans, the following concurrent resolution from the Senate was adopted:

WHEREAS, Article fifty-one of the constitution provides that the Governor shall enter upon the discharge of the duties of his office on the second Monday of January next ensuing his election; therefore, be it

Resolved, That a committee of three on the part of the Senate and five on the part of the House of Representatives be appointed by the presiding officer of each house to make all necessary arrangements for the inauguration of the Governor elect.

Notice of concurrence sent to the Senate.

BILLS ON THIRD READING.

House bill No. 37, entitled an act to allow the city of New Orleans to construct locks near the mouth of the New Orleans canal and Bayou St. John, was called up.

Passed its third reading and was finally passed, title adopted, and sent to the Senate for concurrence.

Mr. Gair, of East Feliciana, chairman of the Committee on Enrollment, made the following report:

COMMITTEE ON ENROLLMENT,
January 10, 1873.

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

Your committee beg leave to report as being engrossed the following:

House bill No. 24, an act to release the inhabitants of the town of Donaldsonville from the payment of parish taxes.

House bill No. 37, an act to allow the city of New Orleans to construct locks near the mouth of the New Orleans canal and Bayou St. John.

House bill No. 46, an act to change and fix the time for holding the sessions of the District Court in the parish of Lafayette in the Sixteenth Judicial District.

Respectfully submitted,

JOHN GAIR,
Chairman Committee on Enrollment.

Under a suspension of the rules, Mr. Dewees, of Red River, introduced House bill No. 50, entitled an act abolishing the fees and emoluments of the office of coroners for the city of New Orleans and parish of Orleans, and fixing the compensation in the form of a general fee as a salary of said officers, and directing the mode of payment of the expenses of all inquests held therein, by imposing certain duties on the city of New Orleans, and for other purposes.

Passed first and second readings, under a suspension of the constitutional rules, and referred to the Committee on Judiciary and ordered to be printed.

Mr. Wands, of Tangipahoa, chairman of the Committee on Ways and Means, made the following report:

Your Committee on Ways and Means, to whom was referred the joint resolution appropriating $4133 33 to make good the deficiency in the appropriation for salary of Secretary of State and Assistant Secretary of State, respectfully report that we have examined the matter and find that the amounts claimed as having been paid by James Graham, Auditor of Public Accounts, to F. J. Herron, John W. Fairfax and Y. A. Woodward, as Secretary of State and Assistant Secretary of State, are correct, as shown by the certificate of Charles Clinton, Auditor of Public Accounts, now in our possession. We therefore report favorably upon the resolution, and recommend its passage.

J. B. WANDS, Chairman;
J. S. MATHEWS,
GEORGE C. BENHAM,
CHARLES W. KEATING.

Mr. Wands, of Tangipahoa, moved to suspend the rule by which House bill No. 35, entitled an act appropriating $4133 33 to make good the deficiency in the appropriation for payment of the salary of the Secretary of State and Assistant Secretary of State, would be obliged to be considered in committee of the whole.

Carried.

On motion the bill was considered engrossed, passed third reading, and was finally passed, title adopted and sent to the Senate for concurrence.

By unanimous consent Mr. Rodrigues, of Orleans, introduced House bill No. 51, entitled joint resolution instructing the Attorney General to institute proceedings against the proper parties for the recovery of amounts unlawfully paid to F. J. Herron as Secretary of State, and Y. A. Woodward and J. W. Fairfax as Assistant Secretary of State, etc.

Passed first reading under a suspension of the constitutional rules.

Mr. Davidson, of Livingston, moved a further suspension of the constitutional rules for the bill to pass its second reading and refer to the Committee on Judiciary.

Carried.

The House, on motion of Mr. Stewart, of Tensas, adjourned until to-morrow at twelve o'clock M.

WILLIAM VIGERS,
Chief Clerk.

THE SENATE YESTERDAY.

Fourth Day's Session.

SENATE CHAMBER,
New Orleans, January 10, 1873.

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, and Messrs. Anderson, Alexander, Barber, Blackburn, Blunt, Butler, Burch, Brewster, P. F. Herwig, E. F. Herwig, Harper, Ingraham, Kelso, Masicot, Pollard, Sypher, Stamps, Twitchell, Weber—20.

The President of the Senate announced a quorum present.

Prayer by the Chaplain.

Reading of the minutes of yesterday's proceedings was dispensed with, and the President announced that the journal of yesterday's proceedings stood approved, after the same had been corrected.

NOTICES OF BILLS.

By Mr. Butler:

An act to be entitled an act in reference to the levee matters and the management of the levees of the State.

By Mr. Twitchell:

A bill to be entitled an act to fix the terms of court in the Eleventh Judicial District.

INTRODUCTION OF BILLS.

By Mr. Brewster, according to previous notice:

A bill to be entitled an act to provide for the expropriation and means of acquiring lands by the United States for the erection of lighthouses, light-keeper's house, signal station, range lights, warehouses and revenue stations.

By unanimous consent, the bill was read the first time.

The constitutional rule was dispensed with by a four fifths affirmative vote, the bill read the second time, and ordered to be committed to the Committee on Judiciary, and so declared by the President.

EXECUTIVE SESSION.

On motion of Mr. Ingraham, the Senate went into executive session.

Executive session having been raised, the President ordered the call of the roll. The following Senators answered to their names:

Hon. A. B. Harris, President, and Messrs. Anderson, Alexander, Barber, Blackburn, Blunt, Butler, Burch, Brewster, Cage, Green, P. F. Herwig, Harper, Ingraham, Kelso, Masicot, Pollard, Sypher, Stamps, Twitchell, Weber, Wharton—22.

The President then announced that there was a quorum present.

RESOLUTIONS.

Mr. Brewster offered and introduced, by unanimous consent of the Senate, the following resolution:

Resolved, That a special committee of three be appointed by the Chair to inquire into and report to-morrow (January 11, 1873) as to the cause of the absence of any and all Senators from their seats.

On motion of Mr. Brewster the resolution was read and adopted by the following vote, on call of the yeas and nays:

Yeas—Anderson, Alexander, Barber, Blackburn, Blunt, Butler, Burch, Brewster, Cage, Greene, P. F. Herwig, E. F. Herwig, Harper, Ingraham, Kelso, Masicot, Pollard, Sypher, Stamps, Twitchell, Weber, Wharton—22.

Nays—None.

On motion of Mr. Butler the Senate voted to adjourn until to-morrow at twelve o'clock M.

The President then announced that the Senate stood adjourned until to-morrow, Saturday, January 11, 1873, at twelve o'clock M.

In the well known town of Hoshungabad, which is situated, it will be remembered, in Hindoostan, a young married lady named Nunnee is attracting much attention. Instantly on meeting her husband she has invariably fallen into a deep sleep, and continued to sleep until the departure of her husband, taking naps eight or ten days long on several occasions. It is said that this husband is overwhelmed with applications from heathen and Christian husbands for the possession of his secret. This Hindoo's lucky faculty is limited, however, for Mrs. Nunnee's mother sleeps not at his coming.

They have some steep hills in Kansas City. The Leavenworth *Commercial* says: "An individual at work in the cellar of a building in Kansas City the other day fell out and was dashed on the roofs of the two-story buildings at the foot of the hill."

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

No. 10.

AN ACT

Making an appropriation to pay the mileage and per diem of the members, salaries of officers and employes, and the contingent expenses of the extra session, convened and commenced December 9, 1872, of the third General Assembly of the State of Louisiana, by appropriating and providing for the sale of seventy-five thousand dollars of legislative warrants, and declaring the manner of disbursing the amount realized by the sale of said warrants, and for their redemption.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the Auditor of Public Accounts shall, and he is hereby directed to issue his warrant, or warrant upon the State Treasurer, against the "general fund" to the amount of seventy-five thousand dollars for the payment of members, officers, employes and the contingent expenses of the extra session (convened and commenced December 9, 1872), of the third General Assembly of the State of Louisiana, to be sold as hereinafter provided, which, when sold, the proceeds thereof, or so much as may be necessary, be and is hereby appropriated to pay the mileage and per diem of members, salaries of officers and employes, and the contingent expenses of the present extra session of the General Assembly.

SEC. 1. Be it further enacted, etc., That for the purpose of realizing as large an amount as possible from the sale of said warrant or warrants, the Auditor of Public Accounts and the State Treasurer are hereby authorised, empowered and directed to invite, forthwith, or within ten days after the passage of this act, sealed proposals, or otherwise, for the purchase of said warrant or warrants, and such proposal or proposals shall be submitted to the General Assembly for approval or rejection; provided, that only one-half of the said appropriation hereby authorized shall first be disposed of and exhausted before the balance of said appropriation shall be placed in the market and disposed of in accordance with the provisions of this act; and provided further, that when the remaining balance of said appropriation is to be expended, any person entitled to the benefits thereof shall be entitled to receive warrants at the cash money value or rates for which the first portion of said appropriation was disposed of by the said Auditor and Treasurer under the provisions of this act. If said persons take the benefit thereof within ten days after the first part of said appropriation has been exhausted, or otherwise, the said Auditor and Treasurer will proceed to dispose of the balance of said appropriation in the manner prescribed by this act.

SEC. 3. Be it further enacted, etc., That the proceeds realized by said sale shall be deposited in the State Treasury to the credit of the general fund, under the heading of "General Assembly," in amounts as follows, two-fifths to the Senate and three-fifths to the House of Representatives, which shall be warranted upon by the Auditor of Public Accounts to the extent of the respective amounts, as designated, or so much thereof as may be necessary for the payment set forth in section first of this act, upon presentation of the certificate issued in accordance with the provisions of section four of this act, and the Treasurer of the State is hereby directed to pay said warrants.

SEC. 4. Be it further enacted etc., That it shall be the duty of the committee on auditing and supervising the expenses of the Senate, and of the Committee on Contingent expenses of the House, to issue when demanded, and upon presentation of the proper evidences, a certificate, certifying the amount due to each member of their respective houses, for his mileage and per diem, and to each of the officers and employes of their respective houses his salary, and to each contingent expense creditor the amount due to said creditor, which certificates thus issued, shall be approved, on the part of the Senate, by its presiding officer, and on the part of the House of Representatives by the Speaker thereof, and the Auditor of Public Accounts shall, and he is hereby directed to issue his warrants for said certificates, to the extent of the respective amounts designated and allotted, as set forth in section third of this act, and the Treasurer of the State, is hereby directed to pay said warrants; provided, that nothing herein contained shall be construed as repealing sections two and three of act No. 1, approved February 26, 1872.

SEC. 5. Be it further enacted, etc., That the warrant or warrants issued as directed in section one of this act shall be and are hereby declared receivable, at their face value, for and in payment of all and any State tax due for 1872 and for the year 1873, and the Treasurer of the State and the several tax collectors of the State are hereby instructed and directed to receive said warrants in payment of aforesaid dues when offered.

SEC. 6. Be it further enacted, etc., That the warrant or warrants issued as directed by section one of this act the Auditor of Public Accounts shall have printed on the backs thereof, in red ink, the title of this act and the sections thereof as herein enacted.

SEC. 7. Be it further enacted, etc., That all acts or parts of acts, or laws or parts of laws, contrary to or inconsistent with this act, be and are hereby repealed, and 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 and Acting Lieutenant Governor.
Approved January 10, 1873.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and Acting Governor of the State of Louisiana.
A true copy:
E. B. MENTZ,
Assistant Secretary of State.

No. 4.

AN ACT

To punish the crime of bribery.

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 jurors 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 promised, 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 given 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,
Lieutenant Governor and President of the Senate.
Approved December 26, 1872.
(Signed) P. B. S. PINCHBACK,
Acting Governor of the State of Louisiana.
A true copy:
GEORGE E. BOVEE,
Secretary of State.

No. 7.

AN ACT

To suppress riotous and unlawful assemblies, and to provide for the punishment of persons participating therein, and to define the duties of officers of the State in regard thereto, and to punish officers and others for neglect or refusal to discharge and perform duties imposed upon them by law.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That if any three or more persons, being armed with clubs or any other dangerous weapon or weapons, or if any ten or more persons shall unlawfully assemble in the city of New Orleans, or in any other town, city or parish within the State for any unlawful purpose, or with intent to disturb the public peace, or to cause public disturbance, the persons so assembled shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, and by imprisonment not less than three months, nor more than six months, at the discretion of the court.

SEC. 2. Be it further enacted, etc., That if such unlawful assembly shall occur or take place within the limits of the city of New Orleans, or within the Metropolitan Police District of New Orleans, State of Louisiana, it shall be the duty of the Superintendent of Police, or some officer of said Metropolitan Police to be designated by said superintendent or by the Board of Metropolitan Police, to go among the persons so assembled, or as near to them as may be with safety, and, in the name of the State, command all the persons so assembled immediately and peaceably to disperse, and if the persons so assembled shall not thereupon immediately and peaceably disperse, it shall be the duty of such officer to command the entire police force, if necessary, as well as the assistance of all persons there present, to seize, and arrest, and secure in custody the persons so unlawfully assembled, in order that they may be proceeded against according to law, and for the purpose of so dispersing or arresting persons so unlawfully assembled such officer or officers may cause such force of police and posse comitatus to be armed in such manner as he shall deem adequate to accomplish such arrest, and if such officer shall report to the chief executive of the State that the force under his command is insufficient to effect the arrest of such offenders, it shall be the duty of the Governor of the State to forthwith call upon the armed militia of the State, and such armed force as shall be at his command or within his control, to aid in dispersing and arresting the persons so unlawfully assembled.

SEC. 3. Be it further enacted, etc., That if such unlawful assembly shall occur or assemble in any town, city or parish without the limits of said Metropolitan Police District, it shall be the duty of the sheriff of the parish within which such unlawful assembly shall take place, or any of his deputies or any justice of the peace in said parish to go among the persons so assembled, or as near to them as may be with safety, and in the name of the State to command all the persons so assembled immediately and peaceably to disperse, and if the persons so assembled shall not immediately and peaceably disperse, it shall be the duty of such officer or officers to command the assistance of all persons there present and to summon a posse comitatus to assist in seizing, arresting and securing in custody the persons so unlawfully assembled, in order that they may be proceeded against according to law, and in the event that such force shall be insufficient to effect the arrest of such offenders, it shall be the duty of the Governor to cause the armed militia of the State to aid in the arrest of such offenders.

SEC. 4. Be it further enacted, etc., That any person being present and commanded by any of the officers mentioned in the preceding sections to aid or assist in seizing and securing such rioters or persons so unlawfully assembled or in suppressing such unlawful assembly, who shall neglect or refuse to obey such command, or when required by any such officer to depart from such place of rioters or unlawful assembly shall refuse or neglect to do so, shall be deemed to be one of the rioters or persons so unlawfully assembled and shall be prosecuted and punished accordingly.

SEC. 5. Be it further enacted, etc., That any officer or person charged by this act with any duty in or about the suppression of any riotous or unlawful assembly who shall neglect or refuse, immediately after notice or knowledge of any such assembly shall come or be brought to him, to proceed to the place of said assembly, or as near thereto as he can proceed with safety, or shall omit or neglect to exercise the authority with which he is invested by this act for suppressing such riotous or unlawful assemblies, and for arresting and securing the offenders, he shall be deemed guilty of a misdemeanor, and shall, upon conviction, be fined a sum not exceeding five hundred dollars, and imprisoned for a term not exceeding six months.

SEC. 6. Be it further enacted, etc., That whenever knowledge of any such riotous or unlawfully assembly shall come to the Governor, it shall be his duty to immediately take such steps and proceedings as shall or may be necessary to suppress the same, and arrest all persons engaged therein, and for that purpose shall, if in his judgment it is necessary, order into service all the militia and armed forces of the State; and any officer or private in the militia who shall unlawfully neglect or refuse to obey the order of the Governor or any superior officer, when ordered to assist in suppressing any such assembly or arresting any offender or persons unlawfully connected with such unlawful assembly, or aiding and abetting the same, shall be deemed guilty of a crime, and upon conviction thereof shall be punished by imprisonment for a term not less than three months nor more than three years.

SEC. 7. Be it further enacted, etc., That any sheriff, deputy sheriff, constable or deputy constable, coroner, officer, non-commissioned officer, or private in the State militia, or any other officer of the State, who is charged by law with any duty or authority to assist in the enforcement of the law and maintaining public peace and order, or members of the General Assembly of the State, who shall be voluntarily present at any such riotous or unlawful assembly, assembled for any unlawful purpose, or shall act with or participate in any such assembly, or who shall aid, countenance or abet such assembly, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by imprisonment for a term not less than three months nor more than three years. Nothing in this act contained shall be so construed as to ab