New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

OFFICIAL JOURNAL

OF THE

SECOND SESSION

OF THE

THIRD GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA

SENATE.

Sixth Day's Session.

SENATE CHAMBER, New Orleans, January 12, 1874.

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

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

Messrs. Barber, Blackburn, Bovee, Butler, Burch, Cage, Chadbourn, Greene, Harris, E. F. Herwig, Harper, Ingraham, Kelso, Masicot, Pollard, Rey, Stamps, Weber, Wharton, Whitney—20.

The President announced a quorum present.

Prayer by the chaplain.

The reading of the journal of yesterday's proceedings was dispensed with, and the journal adopted.

PETITIONS AND MEMORIALS.

By Mr. Weber:

Petition of George Swazie, claiming a seat in this body, and asking an investigation.

Referred to the Committee on Contested Elections.

By Mr. Brewster:

Petition of J. F. Kelly, contesting the seat of J. R. Alexander, from the twenty-fourth senatorial district.

Referred to the Committee on Contested Elections.

Mr. Brewster presented the memorial of Robert J. Caldwell, of Ouachita parish, to the General Assembly, and asked for a reading of the same.

While the Secretary was reading the memorial, objections were raised by Mr. Harris that the reading of the memorial was out of order.

Mr. Brewster moved to suspend the rules to have the memorial read and referred.

Mr. Harris made the point of order that the petition is not before the Senate, for the reason that the rule requires that the Senator offering the petition shall briefly state the contents of the same, which was not done.

Mr. Brewster made the point of order that unanimous consent had been obtained, the petition was received and partly read, and should be referred to the appropriate committee.

The President sustained the point made by Mr. Harris, and decided the petition not properly before the Senate.

Mr. Brewster then obtained unanimous consent, and offered the following brief statement of the contents of the memorial

That Robert J. Caldwell, of Ouachita, to the General Assembly, setting forth that he had rendered the State service in annotating the Code of Practice of Louisiana, and prays for remuneration.

Received and referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. Barber, from the Committee on Unfinished Business, submitted a verbal report recommending that the bills remaining from the session of last year be indefinitely postponed.

Mr. Kelso, chairman of the Committee on Corporations, reported favorably, and recommends the passage of Senate bill No. 188, an act to incorporate the First Baptist Association of Shreveport.

Mr. Burch, from the Committee on Enrollment and Engrossment, made the following report:

COMMITTEE ON ENROLLMENT, New Orleans, January 10, 1874.

To the Honorable President and Members of the Senate:

I have the honor to report as having been duly engrossed an act providing for the funding of the public debt of the State, including all legal and valid bonds of the State, and all legal and valid warrants and certificates of indebtedness drawn by the Auditor of Public Accounts upon the Treasurer, and now unpaid; to provide for the issuance of consolidated bonds of the State of Louisiana in exchange for said outstanding obligations; to provide for the payment of interest and principal of same; prescribing the rate of interest and providing for a sinking fund; defining the duties and powers of State officers under this act, and the manner and terms on which said exchange shall be effected; defining and limiting the State debt under the operation of this act; limiting the rate of taxation for all State purposes, and repealing acts inconsistent herewith, and repealing all laws or parts of laws making the State contingently liable for issuance hereafter of any bonds, or authorizing the Governor to subscribe to stock in any corporation.

J. HENRI BURCH, Chairman.

COMMITTEE ON ENGROSSMENT, New Orleans, January 12, 1874.

To the Honorable President and Members of the Senate:

I respectfully beg leave to report as duly engrossed the following Senate concurrent resolution:

Creating a joint special committee, to be known as the committee on apportionment, to report whatever may be necessary to carry into effect article twenty of the State constitution relative to apportionment.

J. HENRI BURCH, Chairman.

NOTICES OF BILLS.

By Mr. Cage:

A bill relative to acceptance of bonds in cases of provisional seizures, attachments, and other purposes.

Also, an act to fix the term of the Fifteenth Judicial District Court.

Also, an act to consolidate and incorporate the towns of Lockport and Longville, in the parish of Lafourche, under one title; to fix the boundaries of said towns, and to provide for the administration of the affairs thereof.

INTRODUCTION OF BILLS.

By Mr. Ingraham:

A bill to be entitled an act to amend and re-enact sections thirteen, sixteen, twenty-three, forty-three and fifty-eight of an act entitled "an act to regulate the conduct and to maintain the freedom and purity of elections; to prescribe the mode of making returns thereof; to provide for the election of returning officers and defining their powers and duties; to prescribe the mode of entering on the rolls of the Senate and House of Representatives, and to enforce article 103 of the constitution," approved November 20, 1872.

Bill read the first time.

The constitutional rule was suspended, the bill read the second time and referred to the Committee on Election and Registration.

By Mr. Burch:

A bill to be entitled an act for the relief of J. McCormick.

The bill was read the first time.

The constitutional rule was suspended, the bill read the second time and referred to the Committee on Claims.

By Mr. Sypher:

A bill to be entitled an act to incorporate the Hope Hook and Ladder Company No. 1, of Franklin, parish of St. Mary, and to provide for the organization and government of the same.

The bill was read the first time.

The constitutional rule was suspended, the bill was read the second time and referred to the Committee on Corporations.

By Mr. Twitchell:

A bill to be entitled an act to amend and re-enact section 3373 of the Revised Statutes.

The bill was read the first time.

The constitutional rule was suspended, the bill read the second time and referred to the Committee on Parochial Affairs.

By Mr. Bovee:

A bill to be entitled an act authorizing the attorney for the town of Donaldsonville, Louisiana, to institute suit to declare forfeit the charter granted under act No. 16, extra session of 1870.

The bill was read the first time.

The constitutional rule was suspended, the bill read the second time and referred to the Committee on Judiciary.

By Mr. Bovee:

A bill to be entitled an act to emancipate Thomas H. Franklin and to authorize and empower him to practice law before any of the courts of this State.

The bill was read the first time.

The constitutional rule was suspended, the bill was read the second time and referred to the Committee on Judiciary.

By Mr. Bovee:

A bill to be entitled an act to authorize Hornor & Benedict to sue the State.

The bill was read the first time.

The constitutional rule was suspended, the bill was read the second time and referred to the Committee on Judiciary.

By Mr. Bovee:

An act to legitimate Maurice George Hughes and Mary Louise Clark Hughes.

The bill was read the first time.

The constitutional rule was suspended, the bill was read the second time and referred to the Committee on Judiciary.

By Mr. Wharton:

A bill to be entitled an act for the relief of A. & E. B. Talbot.

The bill was read the first time.

The constitutional rule was suspended, the bill read the second time and referred to the Committee on Claims.

By Mr. Brewster:

A bill to be entitled "an act to provide for the appointment of a special assessor in each parish in the State, and defining his duties."

The bill was read the first time.

The constitutional rule was suspended, the bill read the second time, referred to the Committee on Finance, and ordered printed.

BILLS INTRODUCED BY UNANIMOUS CONSENT.

By Mr. Harper:

A bill to be entitled "an act for the relief of delinquent taxpayers of the parish of Caddo."

The bill was read the first time.

The constitutional rule was suspended, the bill read the second time, and referred to the Committee on Judiciary.

By Mr. Burch:

A bill to be entitled an act to provide for the trial of recused civil and criminal cases, and to repeal section 1951 of the Revised Statutes of 1870.

The bill was read the first time.

The constitutional rule was suspended, the bill read a second time and referred to the Committee on Judiciary.

JOINT RESOLUTIONS.

By Mr. Burch:

Relative to repealing acts Nos. 70 and 71, and all supplementary acts and laws thereto, and all charters granted to the New Orleans, Mobile and Texas railroad, and authorizing the Attorney General to recover all aid granted by the State to said railroad.

The bill was read the first time.

The constitutional rule was suspended, the bill read a second time and referred to the Committee on Railroads and ordered printed.

By Mr. Cage:

Joint resolution addressing out of office E. P. Hellman, sheriff of the parish of Assumption.

The bill was read the first time.

The constitutional rule was suspended, the bill read the second time, and referred to the Committee on Judiciary.

RESOLUTIONS.

By Mr. Weber, by unanimous consent:

Resolved, That the Committee on Contested Elections be and is hereby instructed and directed to investigate the alleged claim of George Swazie, claiming a seat in this body as Senator for the twelfth senatorial district. That said committee have power to send for persons and papers, and report the result of its investigation as soon as practicable.

Lies over.

By Mr. Weber:

Resolved, That the committee appointed by the President of the Senate to examine the books and accounts of the Auditor of Public Accounts and the State Treasurer, in compliance with sections 1549 and 1552 of the Revised Statutes, be and is hereby instructed and required to report the result of their investigation to this body ten days from and after the passage of this resolution.

Lies over.

By Mr. Weber:

Resolved, That a special committee of three of the Senate be appointed by the President to proceed as soon as practicable to visit the Insane Asylum at Jackson, Louisiana, to examine the books and records thereof and the records relating thereto in the office of the State Treasurer or elsewhere, and general management of said asylum, with power to send for persons and papers, and report to this body the result of their investigation, by bill or otherwise.

Lies over.

On motion of Mr. Harris the Senate went into executive session.

Executive session having been raised, the following Senators answered to their names:

Messrs. Anderson, Barber, Blunt, Bovee, Blackburn, Butler, Burch, Brewster, Cage, Chadbourn, Crawford, Greene, Harris, Harper, Ingraham, Kelso, Masicot, Pollard, Rey, Sypher, Stamps, Twitchell, Weber, Wharton, Whitney—25.

SPECIAL ORDER OF THE DAY.

WHEREAS, From the records of the State supervisor of registration office, and from the facts produced before the Senate Committee on Elections, it appears that Emile Deteige has a prima facie right to a seat in this body from the second senatorial district; therefore be it

Resolved, That Emile Deteige be admitted to the Senate from the second senatorial district, to fill the vacancy caused by the expiration of the term of P. B. S. Pinchback; provided, that the right of any person to contest for said seat shall not be impaired.

Lies over.

WHEREAS, From the records of the State supervisor of registration office, and from the facts presented to the Senate Committee on Elections, it appears that Clement F. Glandin has a prima facie right to a seat in this body from the first senatorial district; therefore be it

Resolved, That Clement F. Glandin be admitted to the Senate from the first senatorial district to fill the vacancy caused by the death of Hon. S. S. Fish, provided that the right of any claimant to said seat, to contest for the same, shall not be impaired.

Mr. Barber moved to take up the resolution relative to C. F. Glandin, for adoption.

Mr. Harris moved that the whole matter be postponed till Monday, January 26, and made the special order of the day.

Mr. Barber moved that the motion to postpone be laid on the table, but withdrew the same to allow discussion.

The motion to postpone was then adopted by the following vote on call of the yeas and nays:

Yeas—Anderson, Blackburn, Bovee, Butler, Brewster, Crawford, Greene, Harris, Kelso, Pollard, Sypher, Twitchell, Wharton, Whitney—14.

Nays—Barber, Blunt, Burch, Chadbourn, Cage, E. F. Herwig, Harper, Ingraham, Masicot, Rey, Stamps, Weber—12.

ANNOUNCEMENT OF COMMITTEES.

The President announced the following standing committees:

Committee on Judiciary—Messrs. Anderson, Ingraham, Crawford and Belden.

Committee on Finance—Messrs. ——, Twitchell, Stamps, Anderson and Harris.

Committee on Militia—Messrs. Barber, Anderson and Greene.

Committee on Enrollment and Engrossment—Messrs. Ingraham, Bovee, Burch, Stamps, Kelso, Blackburn and Masicot.

Committee on Claims—Messrs. Butler, Wharton, Masicot, Alexander and Rey.

Committee on Agriculture, Commerce and Manufactures—Messrs. Blunt, Greene and Whitney.

Committee on Public Education—Messrs. Brewster, Burch, Greene, Kelso, Weber, Harper and Twitchell.

Committee on Printing—Messrs. Blackburn, Burch, Weber, Bovee and Brewster.

Committee on Banks and Banking—Messrs. Rey, Alexander, Cage, Belden and Anderson.

Committee on Auditing and Supervising the Expenses of the Senate—Messrs. E. F. Herwig, Pollard, Wharton, Harper and Twitchell.

Committee on Federal Relations—Messrs. Alexander, Whitney and Blunt.

Committee on Penitentiary—Messrs. Burch, Weber, Kelso, Crawford and Harper.

Committee on Corporations and Parochial Affairs—Messrs. Kelso, Twitchell, Bovee, Harper and Anderson.

Committee on Charitable Institutions—Messrs. Bovee, Weber, Burch, Masicot and Sypher.

Committee on Public Lands and Levees—Messrs. Chadbourn, E. F. Herwig, Brewster, Bovee and Whitney.

Committee on Parks and Public Buildings—Messrs. Cage, Butler, Harper, Blackburn and Anderson.

Committee on Railroads and Internal Improvements—Messrs. Harris, Barber, Sypher, Weber and Harper.

Committee on Health and Quarantine—Messrs. Weber, Barber, Brewster, Blackburn and Masicot.

Committee on Libraries—Messrs. Belden, Harper and Whitney.

Committee on Pensions—Messrs. Wharton, Blunt, Alexander, Chadbourn and Rey.

Committee on Drainage, Canals and Inland Navigation—Messrs. Sypher, Butler, Weber, Belden and Stamps.

Committee on Retrenchment and Reform—Messrs. Greene, Brewster and Blunt.

Committee on Contested Elections—Messrs. Stamps, Weber, Brewster, Barber and Anderson.

Committee on Metropolitan Police—Messrs. Masicot, Chadbourn, Stamps, Barber and Ingraham.

Committee on Election and Registration—Messrs. Whitney, Pollard, Alexander, Ingraham and Anderson.

Committee on Apportionment—Messrs. Barber, Ingraham, Bovee, Twitchell and Green.

On motion of Mr. Chadbourn, the Senate voted to adjourn.

The chairman then announced that the Senate stood adjourned until Tuesday, January 13, 1874, at 12 M.

P. E. BECHTEL, Secretary of the Senate.

HOUSE OF REPRESENTATIVES.

Seventh Day's Proceedings.

HOUSE OF REPRESENTATIVES, New Orleans, La., January 13, 1874.

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, Bickham, Barrow, Carey, Carr, Cousin, Demas, Davidson, D. C. Davis, Decker, Devezin, Dejoie, Dewees, Elliot, Fontelieu, Greene, Grant, Gair, Guichard, Harris, Heffner, Humble, Hubeau, Hill, Hahn, Heath, P. Jones, M. Jones, Keating, Kirkman, Kenyon, Kern, D. King, Keys, V. O. King, Lewis, Landry, Lawes, Marvin, Moreland, Murrell of Lafourche, Murrell of Madison, Mahoney, Mayo, Martinet, Marie, Mathews, Montaldo, Norris, Peyton, Page, Prescott, Paris, Raby, Rochon, Rice, Rodrigues, Sawyer, Stewart, Sartain, Snaer, Simms, Southard, Smith, Sutton, Sewell, Smart, Thomas, Tureaud, Williams, Wilson, Worthy, Washington, Ward, Wands, Young—85.

A quorum present.

Prayer by the Rev. E. Green.

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

On motion the journal was approved.

Mr. Davidson, of Livingston, moved that the Committee on Ways and Means be instructed to ascertain, from the Auditor of Public Accounts, the reason his report has not been submitted to the General Assembly, as required by law, and that they report forthwith.

Carried.

RESOLUTION.

Mr. Dewees, of Red River, offered the following resolution:

Resolved, That the Speaker of the House, and the Chairman of the Committee on Contingent Expenses be and the same are hereby authorized and directed to pay to members and employes of the House of Representatives the amount, to wit: thirty per cent, deducted from their mileage and per diem for the session of 1873.

Mr. Young, of Concordia, moved to lay the resolution on the table.

Lost.

On the adoption of the resolution the yeas and nays were demanded by Messrs. Sartain, of Carroll, and Young, of Concordia, resulting as follows:

Yeas—Antoine, Baker, Boyd, Barrow, Carey, Carr, Connaughton, Decker, Devezin, Dewees, Elliot, Guichard, Heffner, Humble, Heath, Keating, Lewis, Murrell of Lafourche, Mayo, Peyton, Page, Rodrigues, Sawyer, Smith, Wilson, Worthy—27.

Nays—Allain, Armstead, Bowman, Benham, Blackstone, Boatner, Bickham, Demas, Davidson, D. C. Davis, R. R. Davis, Dejoie, Grant, Gair, Harris, Hubeau, Hill, Hahn, P. Jones, M. Jones, Johnson, Keating, Kirkman, Kenyon, Kern, D. King, Keys, Landry, Lawes, Little, Moreland, Murrell of Madison, Mahoney, Martinet, Marie, Mathews, Norris, Price, Prescott, Raby, Rochon, Soner, Stewart, Sartain, Snaer, Simms, Southard, Sewell, Thomas, Tureaud, Williams, Washington, Wands—53.

The House refused to adopt the resolution.

Mr. Demas, of St. John the Baptist, offered the following resolution:

Resolved, That the special committee appointed to examine all outstanding vouchers or warrants issued by the House during its sessions of 1870, 1871, 1872 and 1873 be authorized to employ a clerk and to advertise in the daily city papers calling on all persons holding such vouchers or warrants to bring them forward for examination and registration, and the clerk is required to make a tabular statement of the same for the inspection of the committee and this House whenever the same shall be called for; that the clerk shall be in the committee room from 10 A. M. to 4 P. M. for the purpose of receiving and giving receipts for all vouchers brought to the committee, and that the committee report their final action, by bill or otherwise, twenty days before the close of the present session.

Lies over under the rules.

Mr. Lewis, of Ascension, offered the following resolution:

Resolved, That a committee of five be appointed by the Speaker to investigate the affairs and examine the books of the Louisiana State Lottery Company.

Referred to the Committee on Corporations.

Mr. Gair, of East Feliciana, offered the following resolution:

Resolved, That the superintendent of the State Insane Asylum at Jackson be required to bring the books, records, vouchers and all other papers relating to the transactions and business of the said asylum for the year 1873, before the Committee on Charitable Institutions for examination.

Which was adopted.

Mr. Antoine, of St. Mary, called up the following resolution:

Resolved, That this House now proceed to the election of the assistant clerk, minute clerk and assistant minute clerk.

The Chair decided that the resolution was out of order, as the adoption of the preceding journals had decided that point.

NOTICES OF BILLS.

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

By Mr. Baker, of Bossier:

An act to abrogate the privilege accorded to debts due for necessary supplies.

An act requiring the recording of certain papers in criminal cases, and prescribing the effect of such record.

An act to be entitled an act relating to the recording of documents in civil cases.

By Mr. Keating, of Caddo:

An act to authorize the council of the city of Shreveport to levy a police tax; to regulate levies of taxes, the proceedings of tax suits, and the jurisdiction of the parish court of the parish of Caddo in reference thereto; to define and punish forgery in certain cases; to authorize the funding of the floating debt, to consolidate, limit and provide for the debt of the city of Shreveport, principal and interest; to authorize a tax for the support of the city government, and to establish a fiscal agency, defining its duties, and for the better enforcement of the collection of all taxes, and for other purposes.

REPORTS OF COMMITTEES.

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

COMMITTEE ON ENROLLMENT, New Orleans, January 12, 1874.

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

Your Committee on Enrollment beg leave to report as having been duly engrossed, the following bills, viz:

House bill No. 1, an act making an appropriation for the payment of the mileage and per diem and contingent expenses of the General Assembly of the State for the regular session of 1874, and describing the manner in which the same shall be paid.

House bill No. 7, joint resolution, that a committee, to consist of the Senator from the seventh senatorial district and the representatives from the parish of St. James be constituted, to examine into and report upon the charges made against the clerk of the court of the parish of St. James, with a view to addressing him out of office, should the evidence, in the opinion of the committee, justify such action. The committee shall hold its sittings in the parish of St. James, and shall have power to examine witnesses, administer oaths, and send for persons and papers.

Respectfully submitted,

JOHN GAIR, Chairman.

Mr. Wands, of Tangipahoa, chairman of the Committee on Ways and Means, submitted the following letter from the Auditor of Public Accounts:

STATE OF LOUISIANA, Auditor's Office, New Orleans, January 13, 1874.

Hon. J. H. Wands, chairman Committee of Ways and Means:

My annual report has been in the hands of the printer some days, is now being bound and will be laid before you to-morrow. The delay was caused by the late financial difficulties of the country, which are well known to you, and which very seriously interfered with the collection of taxes. The time of collectors' settlements was, under the law, extended a few days, by which means a large amount of taxes were collected which otherwise could not have been received. This extension of time necessarily delayed my report, which could not be completed until settlements were made. Respectfully, etc.,

CHARLES CLINTON, Auditor.

ORDER OF THE DAY.

Mr. Montaldo, of Orleans, called up the following resolution and substitute:

Resolved, That David Wilson and E. Prevost, from the second ward, be seated as members of the House of Representatives, subject to a contest.

Resolved, That if by to-morrow at one o'clock the members from the second ward of Orleans, whose seats are contested by E. Prevost and David Wilson, do not appear and take their seats, the same will be declared vacant, and the said Prevost and Wilson, contestants, be sworn in as members, subject to a contest.

Mr. Tureaud, of St. James, chairman of the Committee on Elections and Qualifications, made a report returning the cases of David Wilson and E. Prevost, of the second ward, to the House without action.

During the discussion on the above resolution and report, Mr. Young, of Concordia, moved that Messrs. Langles and Thompson be sworn in as members of the House, in accordance with the resolution passed on yesterday.

Whereupon Mr. Gair, of East Feliciana, rose to a point of order, as follows: That the gentlemen above referred to could not be sworn in as members, as it required a two-thirds vote to expel a member, and that the resolution read "their seats will be declared vacant," and not that "they are vacant."

The Speaker made the following ruling:

That so far as the vote necessary to expel a member was concerned, the point was well taken.

Referring to article thirty-five of the constitution, if the gentleman had made a point of order, yesterday, to the effect that the resolution was only presented on account of these members having absented themselves without cause, then the Chair would have been willing to have this evidence stricken out, but the case has been presented and the report, stating that if the question had been raised, that the case was not properly presented, and the proper report was not received, and that Langles and Thompson were duly elected, and if it had come up simply as a resolution of expulsion, which is in accordance with section thirty-five of the constitution.

The Chair is of the opinion that, under the language of the resolution as it appears to have been adopted without any opposition, as the record stands; therefore it becomes the duty of the Chair to enforce the resolution as adopted by the House.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, New Orleans, January 13, 1874.

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

I am instructed by the Senate to ask the concurrence of your honorable body in the following concurrent resolution:

Creating a joint special committee, to be known as the committee on apportionment, to report whatever may be necessary to carry into effect article twenty of the State constitution, relative to apportionment.

Respectfully,

P. E. BECHTEL, Secretary of the Senate.

Mr. Gair, of East Feliciana, appealed from the decision of the Chair.

Mr. Allain, of West Baton Rouge, moved to lay on the table the motion to appeal, on which the yeas and nays were demanded by Messrs. Sartain, of Carroll, and Williams, of East Baton Rouge, resulting as follows:

Yeas—Allain, Armstead, Antoine, Bowman, Barrow, Carey, Connaughton, Cousin, Demas, D. C. Davis, R. R. Davis, Decker, Devezin, Dejoie, Elliot, Guichard, Hubeau, Keating, V. O. King, Lewis, Landry, Lawes, Murrell of Lafourche, Murrell of Madison, Mahoney, Mayo, Marie, Montaldo, Paris, Rochon, Soner, Sawyer, Sutton, Sewell, Tureaud, Wilson, Worthy, Washington, Young—39.

Nays—Baker, Boyd, Benham, Boatner, Bickham, Carr, Davidson, Dewees, Fontelieu, Greene, Grant, Gair, Harris, Heffner, Hill, Hahn, P. Jones, M. Jones, Johnson, Kirkman, Kenyon, Kern, D. King, Little, Marvin, Moreland, Mathews, Norris, Price, Peyton, Page, Prescott, Raby, Stewart, Sartain, Snaer, Simms, Smart, Thomas, Ward, Wands—42.

The House refused to table the motion to appeal.

[Mr. Young, of Concordia, in the chair.]

The motion to appeal recurring, the yeas and nays were demanded by Messrs. Gair, of East Feliciana, and Sartain, of Carroll, with the following result:

Yeas—Allain, Armstead, Antoine, Bowman, Blackstone, Barrow, Carey, Demas, D. C. Davis, R. R. Davis, Decker, Devezin, Dejoie, Elliot, Guichard, Hubeau, M. Jones, D. King, Lewis, Landry, Lawes, Murrell of Lafourche, Murrell of Madison, Mahoney, Martinet, Marie, Montaldo, Norris, Paris, Rochon, Soner, Sawyer, Stewart, Sutton, Sewell, Tureaud, Wilson, Worthy, Washington, Young—40.

Nays—Baker, Boyd, Benham, Boatner, Bickham, Carr, Connaughton, Cousin, Dewees, Fontelieu, Greene, Gair, Harris, Heffner, Humble, Hill, Hahn, Heath, P. Jones, Johnson, Kirkman, Kenyon, Kern, V. O. King, Little, Marvin, Moreland, Mathews, Mayo, Price, Peyton, Prescott, Rodrigues, Raby, Sartain, Snaer, Simms, Smith, Smart, Thomas, Williams, Ward, Wands—43.

The Chair was not sustained.

Mr. Gair moved to adopt the following resolution, with the understanding that a two-thirds vote would be necessary to adopt:

Resolved, That the two members that have been sworn in from the first ward will take due notice, that unless they are in their seats by one o'clock to-morrow that their seats will be declared vacant, and the following members, Messrs. J. Langles and W. J. Thompson, will be seated in their stead, subject to a contest.

Pending discussion on the above resolution the House, on motion of Mr. Gair, of East Feliciana, adjourned until to-morrow at twelve o'clock.

WILLIAM VIGERS, Chief Clerk.

THE SENATE YESTERDAY.

Seventh Day's Session.

SENATE CHAMBER, New Orleans, January 13, 1874.

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

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

Messrs. Anderson, Alexander, Blackburn, Barber, Belden, Blunt, Bovee, Brewster, Butler, Burch, Cage, Chadbourn, Crawford, Greene, Harris, E. F. Herwig, Harper, Ingraham, Kelso, Pollard, Rey, Stamps, Twitchell, Weber, Wharton, Whitney—26.

The President announced a quorum present.

Prayer by the chaplain.

The reading of the journal of yesterday's proceedings was dispensed with, and the journal adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, New Orleans, January 13, 1874.

To the Honorable President and Members of the Senate:

I am directed by the House to ask the concurrence of your honorable body in the following House bill, viz:

House bill No. 28, substitute for House bill No. 2, entitled an act making an appropriation for the payment of the mileage and per diem and contingent expenses of the General Assembly of the State for the regular session of 1874, and describing the manner in which the same shall be paid.

Also, House joint resolution No. 7, authorizing the appointment of a commission to examine into charges against the clerk of the court of the parish of St. James.

Very respectfully,

JOHN W. ROXBOROUGH, Assistant Clerk.

PETITIONS AND MEMORIALS.

By Mr. Burch:

The petition of S. Wrotnowski, late president of the board of control, Louisiana Penitentiary, asking his salary as a member of that board.

Referred to the Committee on Claims.

REPORTS OF COMMITTEES.

By Mr. Ingraham, from the Committee on Engrossment and Enrollment:

COMMITTEE ON ENROLLMENT, New Orleans, January 12, 1874.

To the Honorable President and Members of the Senate:

I have the honor to herewith report as having been duly engrossed Senate bill No. 193, an act proposing amendments to the constitution of the State of Louisiana.

Very respectfully,

JAMES H. INGRAHAM, Chairman.

By Mr. Twitchell, late chairman committee on auditing and supervising the expenses of the Senate for the extra session of 1872 and regular session of 1873:

To the Honorable President and Members of the Senate:

Your committee on auditing and supervising the expenses of the Senate for the extra session of 1872 and the regular session of 1873 respectfully submit the following report:

The expenses of the Senate, arranged under their appropriate headings, are as follows:

EXTRA SESSION OF 1872.

Committee on Enrollment	$1,800 00
Secretary's department	1,625 00
Sergeant-at-arms' department	4,528 00
Incidental expenses	193 45
Committee on Finance	203 00
Committee on auditing and supervising expenses of Senate	224 00
Committee on Elections	196 00
Postoffice department	196 00
Private secretary of Lieutenant Governor	203 00
Mileage and per diem of Senate	12,351 10
Total expenses	$21,519 55

REGULAR SESSION OF 1873.

Incidental expenses	$1,461 40
Sergeant-at-arms' department	7,291 32
Secretary's department	3,250 00
Enrolling committee	4,480 00
Judiciary committee	609 00
Finance committee	420 00
Claims committee	616 00
Auditing and supervising expenses of Senate	640 00
Railroad committee	623 00
Contested Election committee	420 00
Postoffice department	420 00
Private secretary of Lieutenant Governor	504 00
Mileage and per diem of Senators	34,573 20
Total expenses	$55,310 92
Unexpended appropriation to the credit of the Senate	29,689 08

NOTICES OF BILLS.

By Mr. Burch:

A bill for the relief of Henry Newell, Charles Cross, Henry Schorten and James McVey, citizens of Baton Rouge.

By Mr. Weber:

An act to amend sections 2760 and 2761 of the Revised Statutes.

By Mr. Blunt:

A bill to incorporate the Second Regular Baptist Association, in Natchitoches, Louisiana.

By Mr. Belden:

An act relative to the enforcement of hypothecary rights and defining the jurisdiction of courts therefor.

By Mr. Belden:

An act relative to public advertisements and notices in the country parishes.

By Mr. Belden:

An act relative to public sales and sale days made in pursuance of decrees of courts in the parishes of Assumption, Lafourche and Terrebonne.

By Mr. Belden:

An act relative to the release on bond of property seized under conservatory process, providing for the determination of the case against all parties, and providing for the sale of perishable property seized under mesne process after certain delays, advertisements and notices, and fixing said delays and advertisements.

Also, an act relative to bringing suits on privileged debts in the parish where the property affected is situated, and providing for service of petition and citation in such cases.

By Mr. Belden:

An act relative to Attorney General, district attorneys and district attorneys pro tempore, swearing witnesses and compelling their attendance.

By Mr. Wharton:

An act for the relief of Jeremiah Foley for work done on levees in the parish of Iberville.

Also, an act to incorporate the Iberville College.

By Mr. Burch:

A bill amending act No. 119 of the session of 1873, 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 and government of the city of Baton Rouge, approved April 9, 1853, 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.

INTRODUCTION OF BILLS.

By Mr. Weber:

A bill to be entitled an act to amend an act to incorporate the town of St. Francisville, in the parish of West Feliciana.

The bill was read the first time.

The constitutional rule was suspended, the bill was read the second time, and referred to the Committee on Corporations and Parochial Affairs.

By Mr. Masicot:

A bill to be entitled an act to create an insurance department, and to regulate the management of insurance companies.

The bill was read the first time.

The constitutional rule was suspended, the bill was read the second time and referred to the Committee on Corporations and Parochial affairs.

By Mr. Ingraham:

A bill to be entitled the general insurance act of Louisiana.

The bill was read the first time.

The constitutional rule was suspended, the bill was read the second time and referred to the Committee on Corporations and Parochial Affairs.

By Mr. Brewster:

A bill to be entitled an act submitting to the voters of the State a proposed amendment to the constitution prohibiting the General Assembly from lending the credit of the State to any railroad or other corporation, and prohibiting the State from subscribing to the stock of any railroad company or other corporation.

The bill was read the first time.

The constitutional rule was suspended, the bill was read the second time and referred to the Committee on Judiciary.

By Mr. Cage:

A bill to be entitled an act to consolidate and incorporate the towns of Lockport and Longville, in the parish of Lafourche, under one title; to fix the boundaries of said towns, and to provide for the administration of the affairs thereof.

The bill was read the first time.

The constitutional rule was suspended, the bill read the second time and referred to the Committee on Corporations and Parochial Affairs.

By Mr. Brewster:

A bill to be entitled an act proposing amendments to the constitution of the State, providing that the people of this State shall never be taxed for the promotion of private interests, and prohibiting the General Assembly from granting or authorizing any exclusive privilege of monopoly whatever to individuals or corporations; providing that no license tax shall be imposed upon any industrial pursuit whatever.

The bill was read the first time.

The constitutional rule was suspended, the bill read the second time and referred to the Committee on Judiciary.

By Mr. Brewster:

A bill to be entitled an act fixing the time for the regular meeting of the General Assembly.

The bill was read the first time.

The constitutional rule was suspended, the bill was read a second time and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Mr. Anderson:

A bill to be entitled an act to dispose of the proceeds of land and land scrip donated to the State of Louisiana by the act of the Congress of the United States approved July 2, 1862, entitled, "an act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts."

The bill was read the first time.

The constitutional rule was suspended, the bill was read the second time and referred to the Committee on Public Education.

JOINT RESOLUTION.

By Mr. Anderson:

Joint resolution relative to the one hundredth anniversary of the independence of the United States in the city of Philadelphia in 1876.

The bill was read the first time.

The constitutional rule was suspended, the bill read the second time and referred to the Committee on Federal Relations.

INTRODUCTION OF RESOLUTIONS.

By Mr. Burch:

Resolved, That the Committees on Charitable Institutions and Penitentiary be and are hereby instructed to proceed to visit the various charitable institutions of the State located at Baton Rouge and Jackson, at as early a day as practicable, and that one of the clerks of the Senate be detailed to accompany said committees and assist them in their investigations.

Lies over.

Resolved, That no special committees shall be appointed which shall in any manner interfere with the duties of any standing committee, but this resolution shall in no manner relate to the creation of joint special committees.

Lies over.

RESOLUTIONS LYING OVER.

Mr. Weber called up the following resolution:

Resolved, That the Committee on Contested Elections be and is hereby instructed and directed to investigate the alleged claim of George Swazie, claiming a seat in this body as Senator for the twelfth senatorial district. That said committee have power to send for persons and papers, and report the result of its investigation as soon as practicable.

Mr. Harris proposed to be added at the end of the resolution the words, "without expense to the State."

The amendment proposed by Mr. Harris was accepted by Mr. Weber, and the resolution was adopted as amended.

Mr. Weber called up the following resolution:

Resolved, That the committee appointed by the President of the Senate to examine the books and accounts of the Auditor of Public Accounts and the State Treasurer, in compliance with sections 1540 and 1552 of the Revised Statutes, be and is hereby instructed and required to report the result of their investigation to this body ten days from and after the passage of this resolution.

Mr. Weber offered the following amendment:

Resolved further, That said committee be and is hereby specially instructed and required to ascertain the amount of cash paid into the treasury by the different tax collectors in the State, or from other sources, and ascertain what disposition has been made by the Auditor and Treasurer of the same.

The following amendment was offered by Mr. Barber, to the amendment of Mr. Weber: To insert "during the year 1873," after the word "treasury;" and, also, to amend the original resolution, by striking out "ten days," and inserting "twenty days."

Mr. Stamps moved that the whole subject matter be laid on the table.

On call of the yeas and nays the Senate refused to lay the whole matter on the table by the following vote:

Yeas—Anderson, Butler, Chadbourn, Crawford, Greene, Harris, Stamps—7.

Nays—Barber, Belden, Blunt, Bovee, Burch, Brewster, Cage, Harper, Kelso, Pollard, Rey, Sypher, Twitchell, Weber, Wharton, Whitney—16.

Mr. Stamps moved that the whole matter be indefinitely postponed.

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

Yeas—Anderson, Burch, Chadbourn, Greene, Harper, Ingraham, Kelso, Sypher, Stamps—9.

Nays—Belden, Blunt, Bovee, Cage, Crawford, Harris, E. F. Herwig, Pollard, Twitchell, Weber, Wharton, Whitney—12.

On motion of Mr. Stamps the Senate went into executive session.

Executive session having been raised, the following Senators answered to their names:

Messrs. Anderson, Belden, Blackburn, Blunt, Bovee, Butler, Burch, Brewster, Cage, Chadbourn, Crawford, Greene, Harris, Harper, Ingraham, Kelso, Rey, Sypher, Stamps, Twitchell, Weber, Wharton, Whitney—24.

The pending question was resumed, and the amendments offered by Mr. Barber were adopted.

Mr. Barber