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OF THE

SECOND SESSION

OF THE

THIRD GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA

SENATE.

Sixteenth Day's Session.

SENATE CHAMBER,
New Orleans, January 24, 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, Barber, Belden, Blackburn, Blunt, Burch, Brewster, Cage, Chadbourn, Crawford, Daigle, Harris, E. F. Herwig, Harper, Ingraham, Masicot, Swaizie, Stamps, Thomas, Weber, Wharton—23.

The President announced a quorum present.

Prayer by the Chaplain.

MESSAGE FROM THE GOVERNOR.

STATE OF LOUISIANA,
Executive Department,
New Orleans, January 24, 1874.

To the Honorable President and Members of the Senate:

I have the honor to inform you that the Governor has this day signed "an act proposing amendments to the constitution of Louisiana," originating in your honorable body. Also, Senate bill for the relief of F. Van Benthuysen and his minor children.

H. CONQUEST CLARKE,
Private Secretary.

READING OF THE JOURNAL.

Mr. Stamps moved that the further reading of the journal be dispensed with.

Mr. Brewster moved that the journal be read.

The motion was adopted.

The Secretary proceeded to read the journal.

On motion of Mr. Brewster the further reading of the journal was dispensed with, and after correction was adopted.

REPORTS OF COMMITTEES.

COMMITTEE ON ENROLLMENT,
New Orleans, January 23, 1874.

To the Honorable President and Members of the Senate:

Your Committee on Enrollment beg leave to report as duly enrolled Senate bill No. 215, entitled an act to incorporate the Hope Hook and Ladder Company No. 1 of Franklin, St. Mary parish, and to provide for the organization and government of the same.

Respectfully,
JAMES H. INGRAHAM,
Chairman.

COMMITTEE ON ENROLLMENT,
New Orleans, January 23, 1874.

To the Honorable President and Members of the Senate:

Your Committee on Enrollment and Engrossment beg leave to report as duly enrolled Senate bill No. 193, an act proposing amendments to the constitution of the State of Louisiana. Also, Senate bill No. 179, an act for the relief of Van Benthuysen and his minor children.

Respectfully,
JAMES H. INGRAHAM,
Chairman.

COMMITTEE ON CLAIMS,
New Orleans, January 24, 1874.

To the Honorable President and Members of the Senate:

Your Committee on Claims, to whom was referred Senate bill No. 274, report favorably and recommend its passage.

Respectfully,
E. BUTLER, Chairman;
J. R. ALEXANDER,
OCTAVE REY.

COMMITTEE ON CONTESTED ELECTIONS,
New Orleans, January 24, 1874.

To the Honorable President and Members of the Senate:

Your Committee on Contested Elections, in the case of C. J. C. Puckette vs. Raford Blunt, from the twenty-second senatorial district, respectfully report adversely to the claim of C. J. C. Puckette, for the reason that he has not complied with the requirements of the law relative to contested elections.

Your committee therefore recommend that Raford Blunt be confirmed in his seat as Senator from the twenty-second senatorial district, and that C. J. C. Puckette be paid the same mileage and per diem due or paid to Hon. Raford Blunt, as Senator, to this date.

Respectfully,
T. B. STAMPS,
Chairman;
O. H. BREWSTER,
T. C. ANDERSON,
E. L. WEBER.

Mr. Anderson, chairman of the Committee on Judiciary, submitted the following.

Substitute for Senate joint resolution No. 26, addressing out of office Emile L. Hebert, clerk of the Fifteenth Judicial District Court, parish of Assumption.

NOTICES OF BILLS.

By Mr. Bovee:

An act to lay out and open a road to connect the Grand Point Settlement, in the parish of St. James, with the Mississippi river, and to lay a special tax for the same.

Also, an act for the relief of T. O'Mally, assignee of Amedee Bringier, Jacob Brothers and Pierre Cassin.

By Mr. Belden:

An act relative to the execution of judgments against sureties on appeal bonds, and providing the manner of said execution, and repealing all laws in conflict with the provisions of this act.

Also, an act relative to the appointment of under-tutors ad hoc in certain cases.

Also, an act to repeal so much of article 749 of the Code of Practice as allows injunctions to issue without bond.

Also, an act relative to the adjudication of property sold at sheriffs' sales, and repealing article 684 of the Code of Practice.

Also, an act relative to the erasure, cancellation and reduction of mortgages, privileges and incumbrances; to provide for the ranking of the same; to define the jurisdiction of courts in regard thereto, and providing the manner of proceeding against the owner thereof, and for other purposes.

By Mr. Anderson:

An act to authorize district and parish judges to hear, decide and give all orders in partition matters at chambers, under certain restriction.

Also, an act to authorize deposit of United States treasury bonds and United States notes in cases of sureties.

JOINT RESOLUTION INTRODUCED.

By Mr. Burch:

Joint resolution authorizing the dean of the law department of the University of Louisiana to pay the claim of B. M. Harrod.

The bill was read the first time.

The constitutional rule was suspended by a four-fifths vote, the bill read the second time and referred to the Committee on Public Education.

ACTION ON REPORTS OF COMMITTEES LYING OVER.

[Mr. Anderson in the chair.]

Mr. Blunt moved to take up the report of the Committee on Judiciary on Senate bill No. 176, an act fixing the limits of the Seventeenth Judicial District Court, and the time of holding court in the parishes composing said district.

The bill was taken up and read, together with the substitute for section two

Mr. Blunt moved to suspend the constitutional rules to put the bill on its third reading.

Mr. Wharton raised the point of order, that the bill not having been adopted on its second reading, the motion was not in order to suspend the rules.

The Chair ruled the point of order not well taken.

On call of the roll the Senate refused to suspend the constitutional rule by the following vote, four-fifths not voting in the affirmative:

Yeas—Alexander, Blunt, Bovee, Brewster, Crawford, Pollard, Swaizie, Weber—8.

Nays—Anderson, Barber, Belden, Blackburn, Butler, Burch, Cage, Chadbourn, Daigle, Greene, Harris, Harper, Ingraham, Masicot, Rey, Stamps, Thomas, Wharton—18.

The bill lies over.

Mr. Stamps called up the following report:

To the Honorable President and Members of the Senate:

Your Committee on Contested Elections, in the case of J. W. McDonald vs. W. Jasper Blackburn, from the twentieth senatorial district, respectfully report adversely to the claims of J. W. McDonald, for the reason that he has not complied with the law made and provided in such cases, being barred by the statute of limitation. Therefore recommend that W. J. Blackburn be confirmed in his seat, and that James W. McDonald be paid the same mileage and per diem due and paid to Hon. W. Jasper Blackburn as Senator, to this date.

Respectfully submitted,
T. B. STAMPS, Chairman;
E. L. WEBER,
T. C. ANDERSON,
O. H. BREWSTER.

Mr. Greene moved that the report be adopted.

Adopted.

Mr. Chadbourn called up Senate bill No. 246, to be entitled an act fixing the time of holding court in the Fourth Judicial District.

The bill was considered engrossed.

Mr. Chadbourn moved to suspend the constitutional rule to put the bill on third reading.

On call of the yeas and nays the constitutional rule was suspended by the following vote:

Yeas—Anderson, Barber, Belden, Blackburn, Bovee, Butler, Burch, Brewster, Cage, Chadbourn, Crawford, Harris, E. F. Herwig, Harper, Ingraham, Masicot, Pollard, Rey, Swaizie, Stamps, Thomas, Wharton—22.

Nays—Alexander, Blunt, Greene, Weber—4.

The bill was then read the third time.

Mr. Chadbourn moved that the bill finally pass, the title to stand.

Mr. Crawford called up Senate bill No. 285, an act to fix the terms of the District Court in the Twelfth Judicial District of the State of Louisiana, reported as substitute for Senate bill No. 195.

The bill was read the second time and considered engrossed.

The constitutional rule was suspended by a four-fifths vote and the bill read the third time.

The bill finally passed, the title to stand.

Mr. Cage, by unanimous consent, called up the following joint resolution:

Substitute for joint resolution No. 26, addressing out of office Emile L. Hebert, clerk of the Fifteenth Judicial District Court, parish of Assumption.

The bill was read the second time, and considered engrossed.

The constitutional rule was suspended by a four-fifths vote and the bill read the third time.

Mr. Cage moved the final passage of the joint resolution, and called for the previous question.

The main question was ordered.

On call of the yeas and nays the bill finally passed by the following vote:

Yeas—Anderson, Barber, Belden, Blackburn, Blunt, Bovee, Butler, Burch, Brewster, Cage, Chadbourn, Greene, Harris, Harper, Ingraham, Masicot, Pollard, Rey, Stamps—19.

Nays—Alexander, Swaizie, Thomas, Weber, Wharton—5.

The title to stand.

Mr. Stamps moved to take up Senate bill No. 73, an act closing the drinking houses of public resort, and to prohibit the sale of spirituous or malt liquors on Sundays.

The bill was taken up as unfinished business and read.

Mr. Harris moved that the bill be referred to the Committee on Judiciary.

On call of the yeas and nays the Senate voted to refer the bill to the Committee on Judiciary by the following vote:

Yeas—Anderson, Barber, Belden, Blackburn, Blunt, Bovee, Butler, Burch, Brewster, Cage, Chadbourn, Daigle, Harris, Harper, Ingraham, Rey, Swazie, Stamps, Wharton—19.

Nays—Alexander, Crawford, Greene, Pollard, Thomas—5.

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

The President then announced that the Senate stood adjourned until Monday, January 26, 1874, at 12 M.

P. E. BECHTEL,
Secretary of the Senate.

HOUSE OF REPRESENTATIVES.

Seventeenth Day's Proceedings.

HOUSE OF REPRESENTATIVES,
New Orleans, January 26, 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, Antoine, Bowman, Bryant, Baker, Boatner, Boyd, Bickham, Butler, Barrow, Carey, Cockerham, Carr, Connaughton, Cousin, Davidson, D. C. Davis, R. R. Davis, Decker, Devezin, Dejoie, Dewees, Dumont, Elliot, Estillette, Greene, Grant, Gair, Guichard, Harris, Heffner, Humble, Hubeau, Heath, Hill, P. Jones, M. Jones, Keating, Kenyon, Kern, D. King, Lewis, Lawes, Landry, Langles, Little, Marvin, Moreland, Murrell of Lafourche, Murrell of Madison, Mahoney, Mayo, Martinet, Marie, Mathews, Montaldo, Norris, Price, Peyton, Page, Prescott, Prevost, Paris, Raby, Rodrigues, Souer, Sawyer, Stewart, Sartain, Snaer, Simms, Southard, Smith, Sutton, Sewell, Smart, Thomas, Thompson, Tureaud, Williams, Wilson of Orleans, Wilson of Baton Rouge, Worthy, Washington, Ward, Young—87.

A quorum present.

Prayer by the Rev. E. Green.

On motion of Mr. Sartain, of Carroll, the reading of the journal was dispensed with.

By unanimous consent, the following members voted in the negative on the passage of House bill No. 59:

Messrs. Mahoney, of Plaquemines; Dewees, of Red River, and Young, of Concordia.

On motion, the journal was approved.

Mr. Dejoie, of Orleans, moved to reconsider the vote by which the following resolution was adopted:

WHEREAS, Act No. 116, approved ——, 1870, provides State aid to the amount of $600,000 to the Mississippi and Mexican Gulf Canal Company, and further provides that the said company shall pay the interest accruing thereon until maturity; and

Whereas, The said Mississippi and Mexican Gulf Canal Company has violated its contract with the State by failing to pay said interest, now past due for two years; and

Whereas, The bonds issued to the said company have been sold and the proceeds diverted from their legitimate channel, in violation of law; and

Whereas, The said company has been declared bankrupt and the franchise of the State has been sold or transferred to a private individual, together with the real and personal property acquired by the said company; and

Whereas, the payment of the bonds issued by the State and the coupons thereon were secured by a first mortgage upon all the real and personal property of the said company; and

Whereas, The said sale or transfer of the property to a third party makes the State liable for both principal and interest, and places an immense franchise in the hands of individuals, the nature of which is an unparalleled monopoly, all of which being detrimental to the interests of the State; be it

Resolved, That the Speaker of the House of Representatives be authorized and directed to appoint a committee of five for the purpose of taking into consideration the facts alleged in the preamble, and which is hereby made a part of this resolution, and report to this House, as soon as practicable, the result of their investigations, with what legislation may be necessary to protect the interests of the State therein.

Mr. Souer, of Avoyelles, moved to lay the above motion on the table.

Carried.

The Speaker announced the following members to fill vacancies on the Committee on Charitable and Public Institutions, viz: Messrs. Young, of Concordia; Wilson, of East Baton Rouge; Jones, of Pointe Coupee; and Dumont, of Orleans.

MESSAGE FROM THE GOVERNOR.

STATE OF LOUISIANA,
Executive Department,
New Orleans, January 24, 1874.

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

I am directed by the Governor to inform the House that he has this day approved and signed a bill, originating in your honorable body, entitled "an act to provide for funding obligations of the State by exchanging for bonds," etc.

H. CONQUEST CLARKE,
Private Secretary.

PETITIONS AND MEMORIALS.

Mr. Baker, of Bossier, presented the following petition:

BELLEVUE, BOSSIER PARISH, LA.,
January 12, 1874.

To the Honorable the Senate and the House of Representatives of the State of Louisiana:

I, Leonidas C. Rasberry, have the honor to lay before you this my memorial, asking a bill to be passed for my relief.

In the year A. D. 1870 I was tax collector in and for the parish of Bossier, and collecting taxes on tableaux of 1867, 1868 and 1869. My agent in New Orleans in paying funds for me into the treasury made a mistake by paying a large amount as collected on tableau of 1869, that should have been on tableau of 1867, making thereby a large excess in my favor on tableau of 1869, and leaving me greatly delinquent on that of 1867. I applied to the Auditor to correct the mistake, by crediting my over payment on tableau of 1869 to my delinquency of 1867. This he refused to do; but he demanded of me full settlement on tableau of 1867. Being unable to make this settlement, suit was instituted against me in the district court for Bossier parish, by the Auditor. On a final trial the court gave me what the Auditor had refused, whereby I was easily enabled to fully settle with the State. But as it was found on the trial that I fell in debt to the State a small amount, costs were necessarily adjudged against me. These costs were quite heavy, caused by the fact that there were many securities on my bonds, nearly all of whom were sued with me. The amount of costs I paid was $182, bills of which I present herewith. In the suit I was also forced to pay $400 attorney fees. I request these sums to be paid to me by the State, believing that in justice I deserve them, whether the Auditor or the law was in fault in forcing me to suffer the losses.

I further request an appropriation to be made to pay me the balance that is due me as by the Auditor's books.

L. C. RASBERRY,
Ex-Tax Collector of Bossier.

Which was ordered printed in the journal and referred to the Committee on Appropriations.

Mr. Hubeau, of Jefferson, presented the following memorial:

PARISH OF JEFFERSON,
Right Bank, January 17, 1874.

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

We the undersigned citizens and members of William Tell Hook and Ladder Company No. 1, of Gretna, right bank, parish of Jefferson, State of Louisiana, do most respectfully represent to your honorable body, this, to-wit: That we are a corporate body for over eighteen years, and have never applied for any aid during that time, but we have lately suffered in our company during the season of lost members, the expenses being very high on the company, and furthermore most of all the members are very poor to defray the expenses at the present time, and may it please your honorable body to listen to this appeal. We are at present at the point of being seized for not paying our last installment, of which amount, in capital and interest, the sum of $3000, and we are not able to pay the amount. Therefore if your honorable body could assist us to keep up our present company for the welfare of the public at large, we most respectfully would ask your aid in helping us to secure our little truckhouse, which after many years toil and labor is now threatened to be taken away from us. Hoping that our prayer may be heard in your honorable body we remain, yours, with respect and esteem,

L. J. JOHNSON,
CHARLES BEKER,
ADAM HOFFMANN,
W. MILLER,
FRITZ BLINN,
FRED. FISHER.

To the Honorable the Senate and the House of Representatives of the State of Louisiana in General Assembly convened:

The petition of the Congregational Society of the parish of Jefferson, right bank, respectfully represents: That said association is in needy circumstances and in an impoverished condition; that they have been regularly incorporated according to law; that said incorporation was instituted for humane and charitable purposes, for the maintenance and support of the widows and orphans of deceased and needy members of and belonging to the members of the association, of the parish of Jefferson, right bank.

Your petitioners represent that they have now under tutelage and support, at great expense, a large number of orphans and widows; that their treasury is entirely depleted, and that they are in great want of funds to carry on the benevolent purposes of their institution.

Your petitioners respectfully and humbly pray that your honorable body will grant them relief by appropriation to said institution of some such sum as in your wisdom you may deem meet and proper.

And, as in duty bound, your petitioners will ever pray, etc.

HENDERSON CARTER,
SANDY MILLER,
SONNEY HOPKINS,
CHARLES COOK,
W. P. WAND, President.

Which was ordered printed in the journal and referred to the Committee on Charitable and Public Institutions.

RESOLUTIONS.

Mr. Page, of Iberville, offered the following resolution:

Resolved, That the Speaker of the House be and is hereby authorized and requested to ascertain whether the committee appointed by this House to consider the best mode of suppressing gambling-houses has complied with the same, and that they make a report at as early a day as possible.

Lies over under the rules.

Mr. Williams, of East Baton Rouge, offered the following resolution:

Be it resolved by the House of Representatives of the State of Louisiana, That the Committee on Penitentiary Affairs have leave of absence for two days, to enable them to visit the Penitentiary for the necessary investigation, and that the chairman of said committee be authorized to administer oaths, and to send for persons and papers.

Be it also resolved, etc., That said committee shall have a clerk, detailed from the Enrollment Committee, to perform clerical duties thereon.

Mr. Dewees, of Red River, moved to amend by striking out "two" and inserting "ten," and to "investigate charges made by the Republican newspaper on yesterday."

Agreed to.

The resolution as amended was adopted.

Mr. Dejoie, of Orleans, offered the following resolution:

Resolved, That from and after this date there shall not be any special investigating committees appointed that conflict with the standing committees of this House; and all resolutions, etc., shall be referred to their appropriate standing committees of this House.

Referred to the Committee on Rules.

Mr. Ward, of Grant, offered the following resolution:

Resolved, That a committee of three members be appointed by the Speaker to investigate the Metropolitan Loan and Pledge Association, and they are further authorized to send for books, papers and persons, and to make report to this House without delay.

Referred to the Committee on Corporations.

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

Resolved, That the chairman of the Committee on Contingent Expenses be and he is hereby authorized to issue to Theodore Lipshuts his certificate as clerk to the sergeant-at-arms for the regular session of 1874, to be paid out of the contingent fund of the House of Representatives, and the Speaker is hereby authorized to sign the same.

Which was adopted.

NOTICES OF BILLS.

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

By Mr. King, of St. James:

An act for the relief of L. C. Rasberry, ex-tax collector of Bossie: parish.

By Mr. Baker, of Bossier:

An act authorizing person or persons commissioned by the Governor of the State of Louisiana to organize three or more companies in the parish of St. James.

By Mr. Sutton, of St. Mary:

An act for the relief of the Orphan's Home, in the parish of St. Mary.

By Mr. Mathews, of Tensas:

An act to regulate the fees and commissions of tax collectors throughout the State.

By Mr. Kern, of Jefferson:

An act to amend and extend the limitation enacted in section five of an act entitled an act to incorporate the Star Hook and Ladder Company No. 1 of the city of Carrollton, parish of Jefferson, approved March 16, 1854.

By Mr. Marie, of Terrebonne:

An act for the more regular and economical system of administering or disposing of succession property.

By Mr. Gair, of East Feliciana:

An act repealing the lease of the Louisiana Penitentiary.

INTRODUCTION OF BILLS.

According to previous notice, the following bills were introduced, and passed their first and second readings under suspension of the constitutional rules, and referred to their appropriate committees:

By Mr. Simms, of St. Landry:

House bill No. 134, entitled an act for the relief of Theodore Valade.

Referred to the Committee on Claims.

By Mr. Grant, of Morehouse:

House bill No. 135, entitled an act for the relief of Isaac T. Noff, D. B. Douglass and Eugene McFee.

Referred to the Committee on Claims.

Also, House bill No. 136, entitled an act to restrict the parishes of this State in the issue of scrips, warrants, or other evidences of indebtedness, and imposing penalties on police juries for any violation thereof.

Referred to the Judiciary Committee and ordered to be printed in the journal, as follows:

An act to restrict the parishes of this State in the issue of scrip, warrants or other evidences of indebtedness, and imposing penalties upon police juries for any violation thereof.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That no board of police jurors in any parish of this State shall incur an indebtedness, assume obligations or issue warrants or scrip of any kind in an amount exceeding the levy of the parish tax of said parish for the current year, unless specially authorized so to do by an act of the Legislature of this State, and for any violation of the provisions of this act the members of any board of police jurors shall be removed from office and each member shall forfeit to the State the sum of five hundred dollars, the same to be collected before any court of competent jurisdiction.

SEC. 2. Be it further enacted, etc., That all laws or parts of laws in contravention to this act be and the same are hereby repealed.

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

By Mr. Davidson, of Livingston:

House bill No. 137, entitled an act for the relief of Marcus T. Carter, late district attorney for the Sixth Judicial District of the State of Louisiana.

By Mr. Smith, of Sabine:

House bill No. 138, entitled an act to prevent the carrying of dangerous weapons to public gatherings and for other purposes.

Referred to the Judiciary Committee.

Also, House bill No. 139, entitled an act to incorporate the town of Manny, in the parish of Sabine, to provide for the government of the same and for other purposes.

Referred to the Committee on Corporations.

By Mr. Allain, of West Baton Rouge:

House bill No. 140, entitled an act to relieve all delinquent taxpayers of this State from all penalties due by them upon State taxes, provided that the same be paid within sixty days from the passage of this act.

Referred to the Committee on Ways and Means and ordered printed in the journal, as follows:

An act to relieve all delinquent taxpayers of the State of Louisiana from all penalties due by them upon State taxes; provided, that the same be paid within sixty days from the passage of this act.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That all delinquent taxpayers of this State shall be and they are hereby relieved from all penalties now imposed upon them; provided, that they pay said taxes within sixty days from and after the passage of this act.

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

By Mr. Williams, of East Baton Rouge:

House bill No. 141, entitled an act for the relief of T. J. Buffington, B. Duchein and Philip Machet, of the city of Baton Rouge, and for other purposes.

Referred to the Committee on Claims, together with accompanying papers.

By Mr. Dumont, of Orleans:

House bill No. 124, entitled an act to divide the State of Louisiana into six congressional districts.

Referred to the joint committee on apportionment.

By Mr. Heffner, of Caddo:

House bill No. 143, entitled a bill to provide a mode for correcting erroneous assessments of property for taxes.

Referred to the Committee on Ways and Means.

By Mr. Antoine, of St. Mary:

House bill No. 144, entitled an act to define and regulate the fees of the parish recorders throughout the State of Louisiana; providing forfeitures and penalties for overcharging; the mode of collecting said fees; and repealing all acts contrary to or inconsistent with this act.

Referred to the Judiciary Committee.

By Mr. Heffner, of Caddo:

House bill No. 145, entitled an act for the relief of Thomas W. Jones.

Referred to the Committee on Claims.

Under a suspension of the rules, Mr. Harris, of Pointe Coupee, offered the following resolution:

Resolved, That the Speaker be and he is hereby authorized and directed to appoint a special committee of three members of this House to investigate the alleged failure of the city of New Orleans to collect the taxes and licenses past due, and to report the number of delinquents, the amounts due, the cause thereof, and to ascertain if the authorities of the city of New Orleans are in any way responsible for the non-payment of the said taxes and licenses.

Resolved, That the committee be empowered to send for persons and papers, and to employ a clerk.

Mr. Montaldo, of Orleans, moved to refer to a special committee to confer with the City Administrators, with instructions to inquire into the subject of the resolution.

Mr. Harris, of Pointe Coupee, moved to lay that motion on the table.

Lost.

Mr. Allain, of West Baton Rouge, moved to amend by referring to the Committee on Ways and Means, which, on motion of Mr. Montaldo, of Orleans, was laid on the table.

Mr. Dejoie, of Orleans, moved to refer to a special committee composed of members from New Orleans, which, on motion of Mr. Montaldo, of Orleans, was laid on the table.

The motion of Mr. Montaldo, of Orleans, recurring, prevailed.

Mr. Montaldo, of Orleans, moved to reconsider and lay on the table.

Carried.

Mr. Sawyer, chairman of the Committee on Constitution, submitted the following report:

COMMITTEE ON CONSTITUTION,
New Orleans January 26, 1874.

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

Your committee beg leave to state that they have had under consideration House bill No. 87, joint resolution repealing article sixty-six of the constitution, and adopt an article in the place thereof, and report unfavorably thereon.

ISAAC SAWYER, Chairman.

Which, on motion, was postponed until next Wednesday, at one o'clock.

SPECIAL ORDER OF THE DAY.

House bill No. 14, entitled an act to provide for the removal of the seat of justice of the parish of St. Bernard, and to redivide said parish into wards, on its second reading.

On motion, the bill was considered engrossed, and passed its third reading, under suspension of the constitutional rules, and finally passed; title adopted, and ordered sent to the Senate for concurrence.

House bill No. 11, entitled an act to amend and re-enact an act entitled an act relative to the inspection of tobacco, approved March 15, 1855, on its second reading, was made the special order of the day for to-morrow, at one o'clock.

House bill No. 23, entitled an act providing for the payment of the sheriffs or persons appointed to take charge of persons arrested in other States or Territories who are charged with commiting crimes in this State, and for which the Governor has made requisition, on its second reading, on motion was considered engrossed, and passed its third reading under suspension of the constitutional rules, and finally passed, title adopted, and ordered sent to the Senate for concurrence.

Mr. Sewell, of Orleans, moved to reconsider and lay on the table.

Carried.

SENATE BILLS ON SECOND READING.

Senate bill No. 54, entitled an act to amend and re-enact sections two and three of an act to incorporate the Louisiana Workingmen's Association, approved April 23, 1872.

Passed its second and third readings under suspension of the constitutional rules and finally passed, and notice of concurrence ordered sent to the Senate.

Senate bill No. 5, entitled an act for the relief of Francis Noel, of the parish of Orleans.

Which finally passed, and notice of concurrence ordered sent to the Senate.

On motion of Mr. Rochon, of St. Martin, the House adjourned until to-morrow at twelve o'clock.

WILLIAM VIGERS,
Chief Clerk.

THE SENATE YESTERDAY.

Seventeenth Day's Session.

SENATE CHAMBER,
New Orleans, January 26, 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, Barber, Belden, Blackburn, Blunt, Bovee, Butler, Burch, Brewster, Cage, Chadbourn, Crawford, Daigle, Greene, Harris, E. F. Herwig, Harper, Ingraham, Kelso, Masicot, Pollard, Rey, Sypher, Stamps, Thomas, Wharton, Weber, Whitney—29.

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 corrected and adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
New Orleans, January 26, 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 bills, viz:

House bill No. 38, an act relative to crimes and offenses; to declare the sale of illegal lottery tickets on the drawing of any illegal lottery a misdemeanor, and to provide for the punishment of the same, and to regulate the evidence to be received upon the trial of such offenders.

House bill No. 39, an act relative to the unlicensed sale of lottery tickets in the city of New Orleans, and conferring on the police courts power to suppress the same.

House bill No. 40, an act entitled an act to incorporate the Siam Sons Benevolent Association, of New Orleans, Louisiana.

House bill No. 89, an act to allow each parish surveyor to employ a deputy surveyor.

House bill No. 8, an act to incorporate the St. Paul Benevolent Association of New Iberia, Louisiana.

Also, that the House has concurred in:

Senate concurrent resolution relative to the establishing of a United States District Court in and for North Louisiana.

Senate concurrent resolution, creating a joint special committee, to be known as the joint special committee on apportionment, to report whatever may be necessary to carry into effect article twenty of the State constitution relative to apportionment, with amendment.

Senate bill No. 188, entitled an act to incorporate the First Baptist Association of Shreveport.

Senate bill No. 175, entitled an act relative to the trial of certain suits in which provisional seizures have issued.

Senate bill No. 197, entitled an act to amend an act entitled an act to amend article 644 of the Code of Practice, approved April 23, 1872.

Very respectfully,
JOHN W. ROXBOROUGH,
Assistant Clerk.

On motion of Mr. Harris, the vote adopting substitute for joint resolution No. 26 was reconsidered.

On motion of Mr. Harris the substitute was read, as follows:

Substitute for joint resolution No. 26, addressing out of office Emile L. Hebert, clerk of the Fifteenth Judicial District Court, parish of Assumption.

Mr. Harris moved that the foregoing resolution be adopted.

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

Yeas—Anderson, Alexander, Barber, Belden, Blackburn, Blunt, Bovee, Brewster, Butler, Burch, Cage, Chadbourn, Crawford, Greene, Harris, E. F. Herwig, Harper, Ingraham, Kelso, Masicot, Pollard, Rey, Sypher, Stamps, Twitchell, Weber, Wharton, Whitney—28.

Nays—Daigle, Thomas—2.

MOTION.

Mr. Brewster submitted the following motion, which was read:

That the action of the Senate on Friday last in taking up House bill No. 75, known as the funding bill, from the Committee on Finance, was not intended to reflect discredit upon the chairman of the committee, or in any way to accuse him of neglect of duty or opposition to the reform measures contained in said bill.

Mr. Brewster moved that the motion be adopted.

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

Yeas—Anderson, Alexander, Barber, Belden, Blackburn, Blunt, Bovee, Brewster, Butler, Burch, Cage, Chadbourn, Crawford, Daigle, Greene, E. F. Herwig, Harper, Ingraham, Kelso, Masicot, Pollard, Rey, Sypher, Stamps, Thomas, Weber, Wharton, Whitney—28.

Nays—None.

REPORTS OF COMMITTEES.

Mr. Anderson, chairman of the Committee on Judiciary, reported the following:

Senate bill No. 214, an act fixing the time for the regular meeting of the General Assembly.

Favorably, with amendment, strike out "first Monday in March" and substitute "third Monday in January."

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

COMMITTEE ON ENROLLMENT,
New Orleans, January 26, 1874.

To the Honorable President and Members of the Senate:

Your Committee on Enrollment and Engrossment beg leave to report joint resolution as duly engrossed:

Joint resolution addressing out of office Emile L. Hebert, clerk of the Fifteenth Judicial District Court, parish of Assumption.

Respectfully,
JAMES H. INGRAHAM,
Chairman.

COMMITTEE ON ENROLLMENT,
New Orleans, January 26, 1874.

To the Honorable President and Members of the Senate:

Your Committee on Engrossment and Enrollment respectfully beg leave to report the following bills as duly engrossed, viz:

An act fixing the time of holding the District Court in the Fourth Judicial District of the State of Louisiana, comprising the parishes of St. Charles, St. John the Baptist, St. James and Ascension.

Also, an act to fix the terms of the District Court in the Twelfth Judicial District of the State of Louisiana.

Respectfully,
JAMES H. INGRAHAM,
Chairman.

NOTICES OF BILLS.

By Mr. Weber:

A bill to be entitled an act to amend article 3042 of the Civil Code.

By Mr. Burch:

A bill to be entitled an act for the relief of Philip Machet, a creditor of the Louisiana State University at Baton Rouge.

Also, a bill to be entitled an act for the relief of Louis Hill, late custodian of the State House grounds, located at Baton Rouge, Louisiana.

Also, a bill to be entitled an act for the relief of N. Wax and Francis Philips, creditors of the Louisiana State University, at Baton Rouge, Louisiana.

By Mr. Stamps:

A bill to be entitled an act remitting all penalties for the non-payment of taxes.

INTRODUCTION OF BILLS.

By Mr. Anderson:

An act to authorize district and parish judges to hear, decide and give all orders in partition matters at chambers, under certain restriction.

Lies over.

Also, an act to authorize deposit of United States treasury bonds and United States notes in case of sureties.

Lies over.

By Mr. Burch:

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 2, 1853, and to repeal an act providing for the government of the city of Baton Rouge, approved March 8, 1856, and to repeal all acts amendatory thereto.

Mr. Burch moved to suspend the constitutional rule.

On call of the yeas and nays the Senate refused to suspend the constitutional rule by the following vote:

Yeas—Blackburn, Burch, Chadbourn, Masicot, Rey, Thomas—6.

Nays—Anderson, Alexander, Blunt, Brewster, Bovee, Cage, Crawford, Daigle, Greene, E. F. Herwig, Harper, Pollard, Sypher, Stamps, Twitchell, Weber, Wharton, Whitney—18.

Lies over.

By Mr. Butler, by unanimous consent:

An act to pay C. S. Sauvinet, late civil sheriff of the parish of Orleans, for services performed and expenses incurred in suits for the collection of taxes instituted by the State of Louisiana.

Lies over.

By Mr. Bovee:

An act to lay out and open a road to connect the Grand Point Settlement, in the parish of St. James, with the Mississippi river, and to lay a special tax for the same.

Lies over.

INTRODUCTION OF RESOLUTIONS.

By Mr. Burch:

Resolved, That a sub-committee of the Committee on Penitentiary, to consist of not more than two, be authorized by the Senate to proceed to the locality where the convicts are now employed on the levees and to examine their condition, etc., and report the same to this Senate.

Referred to Committee on Penitentiary.

By Mr. Wharton:

Resolved, That the Committee on Contingent Expenses be authorized to issue a warrant in favor of Alwilda Merrill, widow of the late C. E. Merrill, for the sum of $588, being the amount of pay and mileage to which the said C. E Merrill would have been entitled during the present session, payable out of the Senate appropriation for the present session.

Lies over.

ACTION ON REPORTS LYING OVER.

Mr. Stamps moved to take up the following report lying over, which was read:

COMMITTEE ON CONTESTED ELECTIONS,
New Orleans, January 24, 1874.

To the Honorable President and Members of the Senate:

Your Committee on Contested Elections, in the case of C. J. C. Puckette vs. Raford Blunt, from the twenty-second senatorial district, respectfully report adversely to the claim of C. J. C. Puckette, for the reason that he has not complied with the requirements of the law relative to contested elections.

Your committee therefore recommend that Raford Blunt be confirmed in his seat as Senator from the twenty-second senatorial district, and that C. J. C. Puckette be paid the same mileage and per diem due or paid to Hon. Raford Blunt, as Senator, to this date.

Respectfully,
T. B. STAMPS, Chairman;
O. H. BREWSTER,
T. C. ANDERSON,
E. L. WEBER.

Mr. Weber moved to adopt the report of the Committee on Contested Elections.

Mr. Butler moved as a substitute that further consideration of the report be postponed till one o'clock.

Mr. Wharton moved to lay the motion of Mr. Butler on the table.

Mr. Butler withdrew the substitute motion.

The question recurred upon the motion of Mr. Weber.

Mr. Butler called for the yeas and nays on the motion of Mr. Weber to adopt.

On call of the yeas and nays the Senate voted to adopt the report by the following vote:

Yeas—Anderson, Alexander, Barber, Belden, Blackburn, Bovee, Butler, Burch, Brewster, Cage, Chadbourn, Crawford, Daigle, Greene, Harris, E. F. Herwig, Harper, Ingraham, Kelso, Masicot, Pollard, Rey, Sypher, Stamps, Thomas, Twitchell, Weber, Wharton, Whitney—29.

Nays—None.

Mr. Weber moved to reconsider the vote just taken, and moved to lay that motion on the table.

The motion to lay on the table was adopted.

Mr. Burch moved to take up the report of the Committee on Claims, Senate bill No. 274, for the relief of James McVay and other creditors of the State University. Referred to the Committee on Claims, January 22. Reported favorably, January 24.

On motion of Mr. Burch, the bill was considered engrossed and ordered to a third reading.

SPECIAL ORDER OF THE DAY.

The President announced the time for considering the special order of the day, which was the following resolutions:

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