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OFFICIAL JOURNAL

OF THE

FOURTH GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA

SENATE.

Twenty-third Day's Session.

SENATE CHAMBER,
New Orleans, February 1, 1875.

The Senate met pursuant to adjournment and was called to order by the 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:

Present — Messrs. Alexander, Allain, Breaux, Brewster, Burch, Cage, Chadbourn, Detiege, Gla, Greene, Harper, Kelso, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney, Young—22.

Absent—Messrs. Anderson, Blackburn, Blunt, Crozier, Dumont, Eustis, George, Grover, Herwig, Kelly, Ogden, Robertson, Steven, White—14.

The President announced that there was a quorum present.

Prayer by the chaplain.

The Secretary commenced to read the journal.

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

REPORTS OF COMMITTEES.

The Committee on Corporations and Parochial Affairs, through its chairman, Mr. Twitchell, made the following report:

COMMITTEE ON CORPORATIONS,
New Orleans, February 1, 1875.

To the Honorable President and Members of the Senate:

Your committee beg leave to report favorably on Senate bill No. 14, entitled an act to amend an act entitled "an act to incorporate the town of St. Francisville, in the parish of West Feliciana."

Respectfully,
M. H. TWICHELL, Chairman.

Lies over.

Mr. Masicot, chairman of the Committee on Enrollment, made the following report:

COMMITTEE ON ENROLLMENT AND ENGROSSMENT,
New Orleans, February 1, 1875.

To the Honorable President and Members of the Senate:

Your Committee on Enrollment and Engrossment beg leave to report the following bills as duly enrolled, to wit:

Senate joint resolution No. 9, requesting the congressional committee on Louisiana affairs to visit New Orleans;

Senate joint resolution No. 11, creating a joint committee to investigate whether there is a bona fide Agricultural and Mechanical College under act No. 125 of the acts of 1874, and for other purposes.

Senate joint resolution No. 12, indorsing the action of Lieutenant General P. H. Sheridan in assuming command of the United States troops on the night of the fourth of January, 1875, and preventing bloodshed and riot.

Senate concurrent resolution relative to clerks for the committee to examine the books of the Auditor and Treasurer.

J. A. MASICOT, Chairman.

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

COMMITTEE ON JUDICIARY,
New Orleans, February 1, 1875.

To the Honorable President and Members of the Senate:

Your committee beg to report the following substitute to Senate bill No. 4:

An act to abolish the office of district attorney pro tempore, reserving to police juries the right to employ counsel.

Very respectfully,
THOMAS C. ANDERSON, Chairman.

Lies over.

COMMITTEE ON JUDICIARY,
New Orleans, February 1, 1875.

To the Honorable President and Members of the Senate:

Your Committee on Judiciary beg leave to report favorably on the following bills, viz:

Senate bill No. 21, entitled an act to authorize and empower Frederick G. Hudson, an emancipated minor, to practice law before any of the courts of this State.

Also, favorably on Senate bill No. 5, relative to persons committing crimes in one parish and arrested in another parish in the State; the duty of the officer making the arrest; the jurisdiction of the several district courts throughout the State, and the municipal courts in the city of New Orleans; granting bail for bailable offenses, the residence of sureties on bail bonds in such cases.

Very respectfully,
THOMAS C. ANDERSON, Chairman.

Lies over.

NOTICES OF BILLS.

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

Mr. Whitney:

An act to repeal an act entitled an act to prohibit the seizure of certain property for rent, approved March 21, 1874.

By Mr. Burch:

An act to amend and re-enact item twenty of section ten of act No. 114 of the session of 1874, entitled an act to amend and re-enact an act 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 2, 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.

RESOLUTIONS.

Mr. Weber, of West Feliciana, introduced the following resolution:

WHEREAS, Eight Senators, returned elected by the Returning Board and entitled to seats in the Senate, have failed to attend the sessions of our body; and

Whereas, The action of said Senators is in violation to article seventeen of the constitution of the State, and in contempt of rule twelve of the Senate; therefore, be it

Resolved, That if said eight Senators are not in their seats five days from and after the passage of this resolution, that their seats be and are hereby declared vacant; and the Governor of the State is hereby instructed to issue his proclamation calling a special election, according to law, to fill said vacancies; and the Secretary of the Senate is hereby instructed to furnish the Governor with a copy of this resolution.

Lies over under the rules.

Also the following resolution:

Resolved, That none but clerks on standing and special committees actually performing services shall be entitled to pay as is allowed them by law; that before a voucher shall issue to clerks for any amount due them, they shall certify on oath that they actually performed the services for which they claim pay and the correctness of their accounts shall be certified to by the chairman of the committee of which they are employed.

Lies over under the rules.

Mr. Twitchell called up the following resolution:

Resolved by the Senate in regular session convened, That each and every member who was returned by the Returning Board and whose election was officially promulgated, and who have been duly sworn in as a member of this Senate, be and is hereby confirmed in their seats.

Mr. Chadbourn moved to lay the resolution on the table.

On which the yeas and nays were demanded, resulting as follows:

Yeas—Allain, Burch, Chadbourn—3.

Nays—Alexander, Anderson, Blunt, Cage, Detiege, Dumont, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney, Young—20.

Absent—Blackburn, Breaux, Brewster, Crozier, Eustis, George, Gla, Grover, Kelly, Ogden, Robertson, Steven, White—13.

The Senate refused to lay the resolution on the table.

Mr. Allain called for executive session.

Duly seconded.

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

Present—Messrs. Alexander Anderson, Allain, Blackburn, Blunt, Breaux, Brewster, Burch, Cage, Chadbourn, Detiege, Dumont, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney, Young—27.

Absent—Messrs. Crozier, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, White—9.

The motion to adopt the resolution recurred.

Mr. Whitney offered the following resolution:

WHEREAS, Those persons claiming to have been elected as Senators have failed to file note of contest within the time allowed by law; therefore, be it

Resolved, That the Senators now occupying seats as Senators, evidenced by their having been returned as elected by the Returning Board, and having qualified as such by taking the oath of office as required by the constitution and laws of the State, be and they are hereby confirmed in their seats.

Which was accepted.

SPECIAL ORDER OF THE DAY.

Mr. Twitchell moved to postpone the special order for ten minutes.

On which the yeas and nays were demanded, resulting as follows:

Yeas—Anderson, Blackburn, Brewster, Blunt, Breaux, Burch, Cage, Dumont, Greene, Harper, Kelso, Landry, Pollard, Stamps, Sypher, Twitchell, Weber, Whitney—18.

Nays—Alexander, Allain, Chadbourn, Detiege, Gla, Herwig, Masicot, Wharton, Young—9.

Absent—Crozier, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, White—9.

SPECIAL ORDER POSTPONED.

Mr. Twitchell moved to postpone the special order, for a sufficient time to pass on the resolution before the Senate.

Mr. Allain moved to lay that motion on the table, on which the yeas and nays were demanded, resulting as follows:

Yeas—Allain, Breaux, Brewster, Dumont, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Sypher, Wharton, Whitney—15.

Nays—Alexander, Blunt, Burch, Chadbourn, Detiege, Stamps, Twitchell, Weber, Young—9.

Absent—Anderson, Blackburn, Cage, Crozier, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, White—12.

The Senate refused to postpone the special order.

SPECIAL ORDER OF THE DAY.

On motion of Mr. Twitchell, House bill No. 20, an act making an appropriation for the payment of the mileage and per diem of the members and salary of the officers and employes, and contingent expenses of the State of Louisiana, for the regular session of the year 1875, and prescribing the manner in which the same shall be paid, was taken up and read.

Mr. Burch rose to a point of order that the House bill could not be considered at that time, as Senate bill No. 42 had been made the special order.

The Chair decided the point not well taken, as the House bill was germain to the Senate bill which had been made the special order.

Mr. Stamps made a point of order that as the Committee on Finance had reported a substitute for House bill No. 20, it was therefore not before the Senate.

The Chair decided the point not well taken.

On motion of Mr. Stamps, the whole subject matter was recommitted to the Committee on Finance.

Mr. Chadbourn moved to adjourn until to-morrow at twelve o'clock.

The Senate refused to adjourn.

Mr. Greene offered the following concurrent resolution:

WHEREAS, A number of Senators and Representatives are absenting themselves from the halls of legislation, thereby retarding the passage of many important measures of reform; therefore

Resolved by the Senate of the State of Louisiana, the House concurring, That we cordially invite the absent Senators and members of the House of Representatives to return to their seats in their respective houses at an early day, and we hereby pledge our sacred honor to co-operate with them and use our joint efforts to pass any and all constitutional measures of reform that may be necessary to redeem our State from the present high taxation, and do any and all acts legally to restore peace and harmony throughout the State.

Resolved, That the above resolution is offered in a spirit of peace, [illegible] order to show to our constituents and our political opponents that we desire their assistance in accomplishing the great end desired for the good of the common country.

Lies over.

Mr. Twitchell moved to take up the substitute offered by Mr. Whitney.

Mr. Chadbourn moved the indefinite postponement of the whole subject matter, on which the yeas and nays were demanded, resulting as follows:

Yeas—Allain, Breaux, Burch, Chadbourn, Detiege, Young—6.

Nays—Anderson, Blunt, Brewster, Cage, Dumont, Gla, Greene, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney—18.

Absent—Alexander, Blackburn, Crozier, Eustis, George, Grover, Harper, Kelly, Ogden, Robertson, Steven, White—12.

The Senate refused to postpone.

Mr. Sypher offered the following amendment:

Provided, however, that this resolution shall not refer to or have any effect on the case of A. J. Sypher, of the ninth senatorial district, and W. W. Wharton, of the fourteenth district.

Mr. Blunt moved to lay the amendment on the table, on which the yeas and nays were demanded, resulting as follows:

Yeas—Anderson, Blunt, Brewster, Cage, Detiege, Dumont, Gla, Greene, Harper, Kelso, Landry, Masicot, Pollard, Stamps, Twitchell, Weber, Whitney—17.

Nays—Allain, Breaux, Burch, Chadbourn, Herwig, Sypher, Wharton, Young—8.

Absent—Alexander, Blackburn, Crozier, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, White—11.

The amendment was laid on the table.

Mr. Young moved to adjourn, on which the yeas and nays were demanded, resulting as follows:

Yeas—Allain, Burch, Chadbourn, Detiege, Dumont, Gla, Stamps, Sypher, Young—9.

Nays—Anderson, Blunt, Breaux, Brewster, Cage, Greene, Harper, Herwig, Kelso, Landry, Pollard, Twitchell, Weber, Wharton, Whitney—15.

Absent—Alexander, Blackburn, Crozier, Eustis, George, Grover, Kelly, Masicot, Ogden, Robertson, Steven, White—12.

The Senate refused to adjourn.

Mr. Whitney called the previous question on the adoption of his substitute, as follows:

WHEREAS, Those persons claiming to have been elected as Senators have failed to file note of contest within the time allowed by law; therefore, be it

Resolved, That the Senators now occupying seats as Senators, evidenced by their having been returned as elected by the Returning Board, and having qualified as such by taking the oath of office as required by the constitution and laws of the State, be and they are hereby confirmed in their seats.

On which the yeas and nays were demanded, resulting as follows:

Yeas—Anderson, Blunt, Breaux, Brewster, Cage, Dumont, Gla, Greene, Harper, Herwig, Kelso, Landry, Pollard, Sypher, Twitchell, Weber, Whitney—17.

Nays—Allain, Burch, Chadbourn, Detiege, Stamps, Wharton—6.

Absent—Alexander, Blackburn, Crozier, Eustis, George, Grover, Kelly, Masicot, Ogden, Robertson, Steven, White, Young—13.

The main question was ordered and the resolution adopted.

Mr. Twitchell moved to reconsider the vote by which the resolution was adopted and to lay that motion on the table.

Carried.

Mr. Wharton asked the suspension of the rules to make a report, on which the yeas and nays were demanded, resulting as follows:

Yeas—Anderson, Blunt, Breaux, Brewster, Cage, Dumont, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney—20.

Nays—Allain, Burch, Chadbourn, Detiege—4.

Absent—Alexander, Blackburn, Crozier, Eustis, George, Grover, Kelly, Ogden, Roberts, Steven, White, Young—12.

The Senate rules were suspended.

Mr. Wharton, chairman of the Committee on Finance, made the following report:

To the Honorable President and Members of the Senate:

Your Committee on Finance having had under consideration House bill No. 20, substitute for House bill No. 4, entitled an act making an appropriation for the payment of the mileage and per diem of the members and salary of the officers and employes and contingent expenses of the General Assembly of the State of Louisiana for the regular session of the year 1875, and prescribing the manner in which the same shall be paid, respectfully report, with amendments, as follows:

Amend the title to read as follows:

An act entitled an act making an appropriation for the payment of the mileage and per diem of the members, and salary of of the officers and employes, and contingent expenses of the General Assembly of the State of Louisiana for the regular session of the year 1875, and authorizing the sale of warrants in certain cases and prescribing the manner in which the same shall be paid.

Strike out all after the enacting clause in section one and insert the following:

That the sum of one hundred and ninety-five thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of any moneys in the State treasury to the credit of the general fund, for the payment of the mileage and per diem of the members, and salary of the officers and employes, and contingent expenses of the General Assembly for the regular session of the year 1875.

SEC. 2. Be it further enacted, etc., That of the amount appropriated in section one of this act, the sum of one hundred and twenty-five thousand dollars shall be devoted to the use of the House of Representatives for the payment of the mileage and per diem of the members, and the salary of officers and employes, and contingent expenses thereof, and that of the amount appropriated in section one of this act, the sum of seventy thousand dollars shall be devoted to the use of the Senate for the payment of the mileage and per diem of the members, and the salary of the officers and employes, and the contingent expenses thereof.

SEC. 3. Be it further enacted, etc., That the chairman of the Committee on Contingent Expenses of the House of Representatives shall draw his warrant, approved by the Speaker, on the Auditor of Public Accounts, for the sum of one hundred and twenty-five thousand dollars, who shall forthwith issue his warrants in favor of said chairman, upon the Treasurer of the State, against the general fund as provided in section one of this act, and the chairman of the Committee on Auditing and Supervising the Expenses of the Senate shall draw his warrant, approved by the President of the Senate, for the sum of seventy thousand dollars, upon the Auditor of Public Accounts, who shall forthwith issue his warrant in favor of said chairman upon the Treasurer of the State against the general fund, as provided in section one of this act, and the Auditor shall issue said warrants in such sums as the respective chairmen shall indicate, and the said Treasurer shall pay the said warrants upon presentation.

SEC. 4. Be it further enacted, etc., That in case there shall be no cash in the State treasury to the credit of the general fund, the respective committees are hereby empowered to offer for sale and dispose of said warrants, or any part thereof, in such amounts as may be necessary, the proceeds of the said sale to be deposited in the hands of the Fiscal Agent of this State and held by him subject the order of the chairmen of the respective committees, approved by the presiding officer of each House; provided, that the sale of said warrants shall not be made for a less rate than shall be agreed upon by the respective committees and the respective presiding officers and provided further, that a proces verbal of the said sale, approved by the presiding officers of the respective houses, showing the amount sold, date of sale, price paid, and name of purchaser, shall be filed in the records of the committees and be open to the inspection of any member of either house.

SEC. 5. Be it further enacted, etc., That the warrants issued in pursuance of this act shall be receivable in payment of all licenses due or to become due for the year 1875.

SEC. 6. Be it further enacted, etc., That it shall be the duty of the chairman of the Committee on Contingent Expenses of the House of Representatives and the chairman of the Committee on Auditing and Supervising the Expenses of the Senate, upon the presentation of proper evidence, to issue their checks upon the Fiscal Agent of the State, approved by the presiding officers of the respective houses, for the amount due to each member of their respective houses for their mileage and per diem, and to each of the officers and employes of their respective houses his salary, and to each contingent expense creditor of their respective houses the amount due said creditor.

SEC. 7. Be it further enacted, etc., That no money shall be paid for any warrants, vouchers or other evidence of indebtedness issued prior to January 1, 1875.

SEC. 8. Be it further enacted, etc., That all laws or parts of laws in conflict with any of the provisions of this act be and the same are hereby repealed.

SEC. 9. Be it further enacted, etc., That this act shall take effect from and after its passage.

Respectfully submitted,
W. W. WHARTON, Chairman;
E. F. HERWIG.
M. H. TWITCHELL,
J. A. MASICOT.

Mr. Stamps moved to adopt the report of the Committee on Finance, and to take up House bill No. 20, and that it be read section by section.

Mr. Chadbourn called for executive session.

Duly seconded.

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

Present—Messrs. Anderson, Blunt, Breaux, Brewster, Burch, Cage, Chadbourn, Detiege, Dumont, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Young—23.

Absent—Messrs. Alexander, Allain, Blackburn, Crozier, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, White, Whitney—13.

Mr. Young moved to adjourn, on which the yeas and nays were demanded, resulting as follows:

Yeas—Anderson, Allain, Burch, Chadbourn, Detiege, Dumont, Young—7.

Nays—Blunt, Breaux, Brewster, Cage, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney—18.

Absent—Alexander, Blackburn, Crozier, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, White—11.

The Senate refused to adjourn.

House bill No. 20, with amendments, was taken up.

On motion of Mr. Wharton the title as amended was adopted.

Mr. Burch moved to amend by striking out "$195,000" and inserting "$139,000."

Mr. Wharton moved to lay the amendment on the table, on which the yeas and nays were demanded, resulting as follows:

Yeas—Anderson, Blunt, Brewster, Cage, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Sypher, Twitchell, Weber, Wharton, Whitney—17.

Nays—Allain, Breaux, Burch, Chadbourn, Detiege, Young—6.

Absent—Alexander, Blackburn, Burch, Crozier, Dumont, Eustis, George, Grover, Kelly, Ogden, Robertson, Stamps, Steven, White—13.

The amendment was tabled.

Mr. Brewster moved to amend: In line eleven, after the word "fund," insert "in the present year."

On motion of Mr. Twitchell, the amendment was laid on the table.

Mr. Twitchell called the previous question on the adoption of section one.

The main question was ordered, and section one was adopted as amended.

Mr. Chadbourn moved to amend section two: Strike out in line four the words "and twenty-five."

Mr. Twitchell moved to lay the amendment on the table, on which the yeas and nays were demanded, resulting as follows:

Yeas—Anderson, Blunt, Breaux, Brewster, Cage, Dumont, Gla, Greene, Harper, Herwig, Kelso, Landry, Pollard, Sypher, Twitchell, Weber, Wharton, Whitney—18.

Nays—Allain, Burch, Chadbourn, Detiege, Young—5.

Absent—Alexander, Blackburn, Crozier, Eustis, George, Grover, Kelly, Masicot, Ogden, Robertson, Stamps, Steven, White—13.

The amendment was tabled.

Mr. Whitney moved to amend at the end of section two, after the word "thereof," add "provided that Senators and Representatives shall receive mileage and per diem only from the day of their qualifying, as required by the constitution and laws of the State," and called the previous question.

On which the yeas and nays were demanded, resulting as follows:

Yeas—Anderson, Breaux, Brewster, Blunt, Cage, Dumont, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Twitchell, Weber, Wharton, Whitney, Young—19.

Nays—Allain, Burch, Chadbourn, Detiege, Sypher—5.

Absent—Alexander, Blackburn, Crozier, Eustis, George, Grover, Kelly, Ogden, Robertson, Stamps, Steven, White—12.

The main question was ordered and the amendment was adopted.

Mr. Burch offered the following amendment: In section two, line thirteen, strike out "seventy thousand dollars" and insert "fifty thousand dollars," and moved its adoption.

On which the yeas and nays were demanded, resulting as follows:

Yeas—Allain, Breaux, Brewster, Burch, Chadbourn, Detiege, Dumont, Young—8.

Nays—Anderson, Blunt, Cage, Gla, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Sypher, Twitchell, Weber, Wharton, Whitney—15.

Absent—Alexander, Blackburn, Crozier, Eustis, George, Greene, Grover, Kelly, Ogden, Robertson, Stamps, Steven, White—13.

The amendment was lost.

Mr. Whitney moved to reconsider the vote by which the Senate agreed to take up the bill section by section, and called the previous question.

Mr. Chadbourn moved to adjourn, on which the yeas and nays were demanded, resulting as follows:

Yeas—Allain, Brewster, Chadbourn, Detiege, Dumont, Sypher, Young—7.

Nays—Anderson, Blunt, Breaux, Cage, Gla, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Twitchell, Weber, Wharton, Whitney—15.

Absent—Alexander, Blackburn, Burch, Crozier, Eustis, George, Greene, Grover, Kelly, Ogden, Robertson, Stamps, Steven, White—14.

The Senate refused to adjourn.

On ordering the main question the yeas and nays were demanded, resulting as follows:

Yeas—Anderson, Blunt, Cage, Greene, Gla, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Twitchell, Weber, Wharton, Whitney—15.

Nays—Allain, Breaux, Brewster, Chadbourn, Detiege, Dumont, Sypher, Young—8.

Absent—Alexander, Blackburn, Burch, Crozier, Eustis, George, Grover, Kelly, Ogden, Robertson, Stamps, Steven, White—13.

The main question was ordered.

On the main question the yeas and nays were demanded, resulting as follows:

Yeas—Blunt, Breaux, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Sypher, Twitchell, Weber, Wharton, Whitney—14.

Nays—Anderson, Allain, Brewster, Cage, Chadbourn, Detiege, Dumont, Gla, Young—9.

Absent — Anderson, Blackburn, Burch, Crozier, Eustis, George, Grover, Kelly, Ogden, Robertson, Stamps, Steven, White—13.

The motion to reconsider prevailed.

Mr. Whitney moved to adopt the bill on its second reading, as amended, and called the previous question.

On motion of Mr. Anderson, the vote by which the following amendment was adopted was reconsidered:

Provided, That Senators and Representatives shall receive mileage and per diem only from the day of their qualifying as required by the constitution and laws of the State.

Mr. Chadbourn moved to adjourn.

Lost.

The main question was then ordered.

On the adoption of the bill on its second reading the yeas and nays were demanded, resulting as follows:

Yeas—Anderson, Blunt, Breaux, Cage, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Sypher, Twitchell, Weber, Wharton, Whitney—17.

Nays—Allain, Brewster, Chadbourn, Detiege, Dumont, Stamps, Young—7.

Absent—Alexander, Blackburn, Burch, Crozier, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, White—12.

The bill was adopted as amended on its second reading.

Mr. Chadbourn moved to adjourn, on which the yeas and nays were demanded, resulting as follows:

Yeas—Anderson, Allain, Blunt, Breaux, Brewster, Gla, Greene, Harper, Landry, Stamps, Sypher, Weber, Wharton, Whitney—14.

Nays—Cage, Chadbourn, Detiege, Dumont, Kelso, Masicot, Pollard, Young—8.

Absent—Alexander, Blackburn, Burch, Crozier, Eustis, George, Grover, Herwig, Kelly, Ogden, Robertson, Steven, Twitchell, White—14.

The President then declared the Senate stood adjourned until to-morrow, Tuesday, February 2, at twelve o'clock.

P. E. BECHTEL,
Secretary of the Senate.

HOUSE OF REPRESENTATIVES.

Twenty-fourth Day's Proceedings.

HOUSE OF REPRESENTATIVES,
New Orleans, February 2, 1875.

The House met pursuant to adjournment.

Speaker Hahn in the chair.

The roll was called, and the following members answered to their names:

Speaker Hahn, and Messrs. Armstead, Butler, Baker, Carville, Crawford, Connaughton, Cousin, Drury, Davidson, Dewees, DeLacey, Dickenson, Demas, Floyd, Guichard, Grant, Gracien, Hill of Ascension, Hill of Ouachita, Hubeau, Honore, Hunsaker, Jourdain, Johnson of Caddo, Johnson of De Soto, Jones of Pointe Coupee, Keating, Lane, Lowell, Levisee, Mathews of Tensas, Milon, Marie, Parker, Pierson, Poindexter, Piles, Randall, Ridgely, Richards, Raby, Stewart, Sutton, Southard, Snaer, Sartain, Souer, Tyler, Thomas, Triplet, Wilson, Woods, Ward, Wright, Yorke—56.

Fifty-six members present and a quorum.

Prayer by the chaplain.

The reading of the journal was dispensed with, and it was approved:

The Speaker laid before the House a report from the chief of the Bureau of Immigration, which was referred to the Committee on Immigration, and 500 copies ordered to be printed.

PETITIONS, MEMORIALS AND RESOLUTIONS.

Mr. Grant, of Morehouse, presented a memorial from Mr. P. E. Carter, of Catahoula parish, which was referred to the Committee on Elections and Qualifications.

Under a suspension of the rules Mr. Wright, of Terrebonne, offered the following resolution, which was read and referred to the Committee on Printing:

Resolved, That the Committee on Printing be instructed and directed to examine into the accounts with the State since the induction into office of the present State government, of the official journal; to investigate as to whether the State Printer has not claimed or been paid compensation in excess of legal rates, or for work not authorized by law, and as to whether public printing can not be procured to be executed at less than present rates, or as to whether it would not be more to the interest of the State to let out all public printing to the lowest bidder. Also, to ascertain the exact amounts paid to all papers in the State by State or parish authorities for public printing in each and every fiscal year since the adoption of the present constitution, and what proportion of such printing has been really necessary for the public service; said committee to make a full and comprehensive report of all said matters to the House of Representatives as soon as practicable, together with their recommendations for any retrenchment or reform practicable, by bill or otherwise, said committee to be authorized to send for persons and papers, and to examine books and accounts of officers in the performance of this duty.

Mr. Marie, of Terrebonne, offered the following resolution, which was read and, under a suspension of the rules, referred to the Committee on Registration:

Resolved, That the Committee on Registration be instructed and directed to make a thorough investigation of naturalizations as granted by courts in this State during the past year; that the Attorney General of this State be and he is hereby instructed and directed to assist and advise said committee in its researches, and institute criminal proceedings against all persons found to have been illegally naturalized, and all persons who may have served as witnesses to such persons; also, to consider as whether it would not be to the interest of justice to deprive, by law, all State courts of the right to naturalize foreigners; said committee to be authorized to send for persons and papers; to examine the records of court officers in the performance of the duties herein imposed on the same, and to report by bill or otherwise.

Mr. Guichard, of St. Bernard, offered the following resolution:

WHEREAS, After repeated demands on the Secretary of State for the statutes of the State of Louisiana for the use of the Committee on Retrenchment and Reform; and,

Whereas, The said demands have not been complied with on account of none being in his possession; therefore be it

Resolved, That the Secretary of State be and is hereby requested to furnish to this House a list of the quantity printed through his orders, also the number and description on hand when he took possession of the office, and to whom the said books were delivered, or in order words, what use has he (the Secretary of State) made of them.

On a motion to suspend the rules the yeas and nays were demanded, with the following result:

Yeas—Speaker Hahn, Armstead, Butler, Baker, Crawford, Connaughton, Cousin, Dewees, DeLacey, Dickenson, Demas, Floyd, Guichard, Grant, Gracien, Hill of Ascension, Hubeau, Honore, Jourdain, Johnson of Caddo, Johnson of De Soto, Keating, Lane, Levisee, Mathews of Tensas, Milon, Marie, Parker, Pierson, Poindexter, Piles, Randall, Ridgely, Ray, Raby, Richard, Stewart, Sutton, Southard, Souer, Sartain, Snaer, Tyler, Triplet, Thomas, Woods, Ward, Wright, Yorke—49.

Nays—Carville, Davidson, Hill of Ouachita, Hunsaker, Lowell, Murrell, Wilson—7.

Under a suspension of the rules Mr. Pierson, of Natchitoches, offered the following resolution and moved its adoption:

Resolved, That four members be added to the committee already appointed by the House to act in conjunction with a similar one of the Senate to examine the books of the State Treasurer and State Auditor.

Mr. Ray, of East Feliciana, moved to lay the motion to adopt on the table.

Carried.

NOTICES OF BILLS.

Notices were given that the following bills would be introduced:

By Mr. Grant, of Morehouse:

An act making an appropriation to clean out Bayou Lafourche, in the parish of Morehouse, from Point Jefferson to Eusan's ferry.

Also, an act entitled an act to repeal and re-enact section 1972 of the Revised Statutes.

INTRODUCTION OF BILLS.

Under previous notice Mr. Hunsaker, of St. James, introduced House bill No. 52, an act entitled an act to incorporate the Southern Savings Bank of New Orleans.

Read first time.

The constitutional rules being suspended the bill was read a second time and referred to the Committee on Banks and Banking.

Mr. Grant, of Morehouse, under a previous notice, introduced House bill No. 53, an act to amend and re-enact article 1972 of the Revised Statutes.

Read first time.

Under a suspension of the constitutional rules the bill was again read and referred to the Committee on Judiciary.

Previous notice having been given, Mr. Milon, of Plaquemines, introduced House bill No. 54, an act repealing act No. 56 of session of 1874, and for other purposes.

Read first time.

Under a suspension of the constitutional rule, the bill was placed upon its second reading.

Mr. Dewees, of Red River, moved to refer it to the Committee on Lands and Levees.

Lost.

Mr. Dewees, of Red River moved to reconsider the vote whereby the motion to refer to the Committee on Lands and Levees was lost.

By a rising vote it was shown that no quorum was present.

Mr. Mathews, of Tensas, moved to refer the bill to the Committee on Judiciary, and withdrew it.

Mr. Guichard, of St. Bernard, moved for a call of the House.

The roll was called with the following result:

Speaker Hahn and Messrs. Armstead, Butler, Baker, Carville, Crawford, Connaughton, Cousin, Drury, Davidson, Dewees, De Lacey, Dickenson, Demas, Floyd, Guichard, Grant, Gracien, Hill of Ascension, Hill of Ouachita, Hubeau, Honore, Hunsaker, Jourdain, Johnson of Caddo, Johnson of De Soto, Jones of Pointe Coupee, Keating, Lane, Levisee, Mathews of Tensas, Marie, Pierson, Poindexter, Piles, Randall, Ridgely, Ray, Raby, Stewart, Sutton, Southard, Souer, Tyler, Triplet, Thomas, Wilson, Woods, Ward, Wright—43.

Nays—Armstead, Richard, Crawford, Davidson, Dewees, Dickenson, Hill of Ascension, Lowell, Murrell, Milon, Parker, Snaer, Sartain, Yorke—13.

And the motion to table the appeal prevailed.

Mr. Mathews renewed its reference to the Committee on Judiciary.

Carried.

MESSAGE FROM THE SENATE.

The following message was received:

SENATE CHAMBER,
New Orleans, February 2, 1875.

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

I am directed to inform your honorable body that the Senate concurs in the passage of House bill No. 20—

An act making an appropriation for the payment of the members and salary of officers and employes, and the contingent expenses of the General Assembly of the State of Louisiana, for the regular session of the year 1875, and prescribing the manner in which the same shall be paid.

With amendments.

P. E. BECHTEL,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES.

The Committee on Elections and Qualifications submitted the following report, which was read.

Mr. Lowell, of Jefferson, moved that it, with all the accompanying evidence, be printed and its consideration be made the special order of the day for Saturday next at 1 P. M.

Carried.

COMMITTEE ON ELECTIONS AND QUALIFICATIONS,
New Orleans, February 2, 1875.

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

Your committee, in the contested election case of the third ward, parish of Orleans, Charles Montaldo vs. C. L. Walker, beg leave to submit the following report:

That the evidence received shows these facts, to wit:

1. That the Democrats had 2000 registration papers, signed in blank by Dan A. Rose, assistant supervisor of registration for said ward, and that 100 men, who, having been imported by them to said ward from McComb City, Mississippi, were present on and after the day of election, and to each of whom fifteen of these illegal registration certificates had been issued, thereby enabling each of them to vote, and did vote at each of the voting places in said ward, making 1500 illegal votes cast.

2. That the total registration of said ward was 6000. Of these, 3000 were colored, and 450 white Republicans, making a total registered Republican vote of 3450, or a majority of 900 for Mr. Montaldo, the Republican candidate.

3. That at every poll in said ward save two the White Leaguers had companies stationed, who intimidated and drove Republicans voters from the polls.

4. That the intimidation and fraud on the part of the White Leaguers was so great, that at polls where heretofore the Democratic vote was only forty to fifty, they now claim a majority. From the evidence before them (and that this ward has always been largely Republican) your committee is satisfied that with a fair election, the Republican candidate, Mr. Montaldo, would have been elected over his opponent by a large majority.

We therefore recommend that your honorable body take such steps in the matter as you may think proper.

Respectfully submitted,
W. J. LANE, chairman,
G. H. HILL,
P. JONES YORKE,
L. W. BAKER,
H. RABY.

The Committee on Judiciary reported favorably on House bill No. 18, an act regulating the fees of recorders, and its consideration was made the special order of the day on Friday next at 1 P. M.

Also, adversely on House bill No. 17, an act to secure laborers the first privileged lien