# New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

THE DAILY REPUBLICAN

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# OFFICIAL JOURNAL

OF THE

## FOURTH GENERAL ASSEMBLY

OF THE

## STATE OF LOUISIANA

### SENATE.

Twenty-Fourth Day's Session.

SENATE CHAMBER, New Orleans, February 3, 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, Anderson, Blunt, Breaux, Brewster, Burch, Chadbourn, Crozier, Dumont, Gla, Greene, Harper, Kelso, Masicot, Pollard, Stamps, Weber, Wharton, Whitney, Young—20.

Absent—Messrs. Allain, Blackburn, Cage, Detiege, Eustis, George, Grover, Herwig, Kelly, Landry, Ogden, Robertson, Steven, Sypher, Twitchell, White—16.

The President announced that there was a quorum present.

Prayer by the chaplain.

The Secretary commenced to read the journal.

On the motion of Mr. Brewster, the further reading of the journal was dispensed with.

On motion of Messrs. Wharton and Burch the journal was ordered to lie over for the present.

PETITIONS AND MEMORIALS.

Mr. Anderson submitted the petition of the widow of Professor R. H. Chiton for relief.

Referred to the Committee on Claims.

Reports of special committees being called for, Mr. Whitney, chairman of the special committee to investigate the books of the Louisiana Levee Company, stated that the committee had not been able as yet to obtain the information desired on account of the absence of the vice president and late chief engineer of said company.

Mr. Chadbourn called the attention of the Senate to the fact that the resolution limited the time for report to ten days.

On motion of Mr. Weber the committee was allowed ten days further time in which to make a report.

NOTICES OF BILLS.

By Mr. Dumont:

Of a bill to be entitled an act to incorporate the Home Mission Benevolent Association of Plaquemines.

INTRODUCTION OF BILLS.

By Mr. Kelso, according to previous notice:

A bill entitled an act for the relief of taxpayers wrongfully assessed, and for the payment of taxes in succession cases.

The bill was read the first time.

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

Mr. Harper, by unanimous consent introduced:

A bill entitled an act to repeal section ten of act No. 107, approved September 10, 1873, and to repeal an act amendatory thereto, etc.

The bill was read the first time.

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

[Mr. Anderson in the chair.]

RESOLUTIONS LYING OVER.

Mr. Greene called up 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, and in 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.

And moved the same be adopted.

Mr. Young was debating the advantage of having the absent Senators present to assist him while almost alone in favoring reform measures, stating that the Chair ruled against him generally.

Mr. Whitney made the point that the Senator's remarks were a reflection upon the Chair.

Mr. Anderson, in the chair, did not deem the remarks of the Senator as a reflection upon the Chair.

[The President in the chair.]

Mr. Stamps moved to table the resolution but withdrew the motion to allow debate, with the understanding that he could call the same up when he desired.

On call of two Senators, the yeas and nays were ordered.

The Senate voted to table the resolution by the following vote:

Yeas—Alexander, Blunt, Breaux, Burch, Crozier, Dumont, Gla, Harper, Herwig, Kelso, Masicot, Pollard, Twitchell, Weber, Wharton, Whitney—16.

Nays—Allain, Brewster, Chadbourn, Greene, Young—5.

Absent—Anderson, Blackburn, Detiege, Eustis, George, Grover, Kelly, Landry, Ogden, Robertson, Steven, Sypher, White, Cage—15.

Mr. Wharton moved to suspend the Senate rules to take up the following:

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:

An act 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 af 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.

On call of two Senators, the yeas and nays were ordered:

Yeas—Alexander, Blackburn, Blunt, Breaux, Brewster, Cage, Crozier, Dumont, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Twitchell, Weber, Wharton, Whitney—21.

Nays—Allain, Burch, Young—3.

Absent—Anderson, Chadbourn, Detiege, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, Sypher, White—12.

The bill being on third reading was passed by the following vote, and the title ordered to stand as amended:

Yeas—Blackburn, Blunt, Breaux, Crozier-Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Twitchell, Weber, Wharton, Whitney—17.

Nays—Alexander, Allain, Brewster, Burch, Cage, Detiege, Dumont, Young—8.

Absent—Anderson, Chadbourn, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, Sypher, White—11.

Mr. Wharton moved to adjourn.

On call for the yeas and nays by two Senators the Senate refused:

Yeas—Alexander, Blackburn, Breaux, Brewster, Burch, Greene, Harper, Herwig, Masicot, Twitchell, Wharton, Whitney—12.

Nays—Allain, Blunt, Cage, Crozier, Detiege, Dumont, Gla, Kelso, Landry, Pollard, Stamps, Weber, Young—13.

Absent—Anderson, Chadbourn, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, Sypher, White—11.

Mr. Allain made the point of order that the title of the House bill No. 20 was not adopted and that the bill had not been read on three several days, as article forty-two of the constitution requires.

The President declared the point of order not well taken. The bill has been read on three several days. The bill came up today for final passage. It was passed by a large majority, and on motion of Mr. Wharton the title was ordered to stand as amended.

SPECIAL ORDER OF THE DAY.

I veto an act originating in the Senate entitled an act to revive, amend and re-enact sections one and two of No. 19 of 1873, entitled an act to amend sections seven, eight and seventy; to regulate the conduct and maintain the freedom and purity of elections.

The changes made by this act in the election law are, in my judgment, not such as would maintain the freedom and purity of elections.

WILLIAM P. KELLOGG,
Governor.

On motion of Mr. Cage, the veto message was postponed, and made special order for Monday, February 8, 1875.

The following entitled bill with veto was taken up.

An act authorizing the attorney for the town of Donaldsonville, Louisiana, to institute suit to declare forfeited a charter granted by the General Assembly, under act No. 16, extra session of 1870.

Mr Stamps moved the further reading be suspended.

Adopted.

Mr. Stamps moved that the bill do finally pass.

The President put the question, shall the bill pass, the veto to the contrary notwithstanding?

On call of the yeas and nays the Senat refused to pass the bill by the required two-thirds vote:

Yeas—Herwig—1.

Nays — Alexander, Allain, Blackburn, Blunt, Breaux, Brewster, Burch, Cage, Crozier, Detiege, Dumont, Harper, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney, Young—22.

Absent—Anderson, Chadbourn, Eustis, George, Gla, Greene, Grover, Kelly, Kelso, Ogden, Robertson, Steven, White.—13.

Mr. Stamps moved to suspend the Senate rules to take up the following veto message:

Adopted.

STATE OF LOUISIANA, Executive Department, New Orleans, January 4, 1875.

To the Honorable President and Members of the Senate:

I return, without my approval, a bill originating in the Senate, to limit the fees of the district attorney of the parish of Orleans. This was one of a series of reform measures reducing the expenses of the city which I submitted to the last Legislature. Had they all passed this bill would have received my approval with the rest, and would have then been fair and just; but as the Legislature refused to reduce the fees of the civil sheriff, amounting to nearly $100,000 a year in cash, and the fees of the criminal sheriff, amounting to about the same sum in city scrip, I think, under these circumstances, to reduce the fees of the district attorney, which do not exceed $7000 a year, would be an act of injustice to a faithful and efficient officer.

This view was concurred in by the late City Council, to whom I submitted the bill.

WILLIAM P. KELLOGG,
Governor.

Mr. Stamps moved the bill do now finally pass, the veto to the contrary notwithstanding.

The President put the question.

On motion of Mr. Stamps for the previous question the main question was ordered. Under operation of the same, and call of the yeas and nays, the bill was finally passed, the veto of the Governor to the contrary notwithstanding:

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

Nays—Burch, Young—2.

Absent—Anderson, Allain, Blackburn, Chadbourn, Crozier, Eustis, George, Gla, Grover, Kelly, Ogden, Robertson, Steven, White—14.

The bill was ordered to be sent to the House.

Mr. Weber obtained consent, and called up the following report.

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.

The bill passed its second reading.

Mr. Weber moved that the bill be considered engrossed.

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

Yeas — Alexander, Breaux, Brewster, Cage, Dumont, Greene, Harper, Herwig, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney—17.

Nays—Blunt, Burch, Detiege, Kelso, Young—5.

Absent—Anderson, Allain, Blackburn, Chadbourn, Crozier, Eustis, George, Gla, Grover, Kelly, Ogden, Robertson, Steven, White—14.

Messrs. Cage and Weber moved that the bill be fixed for to-morrow.

Mr. Wharton made the point of order that the final question on second reading was that the bill be ordered to be engrossed for third reading, and such final question had been determined.

The President sustained the point of order and declared the bill must lay over unless four-fifths of the Senators voted to suspend the constitutional rule.

Mr. Weber, by consent, called up the following report:

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.

The bill came up on second reading.

The President announced the question to be, "Shall this bill be ordered engrossed for a third reading?"

Mr. Harper moved that the bill be indefinitely postponed.

On motion of Mr. Cage the bill was recommitted to the Committee on Corporations and Parochial affairs.

On motion of Mr. Cage the Senate voted to adjourn.

The President then declared the Senate stood adjourned until to-morrow, Wednesday, February 3, at twelve o'clock.

P. E. BECHTEL,
Secretary of the Senate.

### HOUSE OF REPRESENTATIVES.

Twenty-fifth Day's Proceedings.

HOUSE OF REPRESENTATIVES, New Orleans, February 3, 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, Murrell, Milon, Marie, Parker, Pierson, Poindexter, Piles, Randall, Raby, Ridgely, Richards, Stewart, Sutton, Snaer, Southard, Sartain, Souer, Tyler, Triplet, Thomas, Wilson, Woods, Ward, Wright.

Fifty-six members present and a quorum.

Prayer by the chaplain.

The consideration of the journal was postponed until one o'clock, on motion of Mr. Dewees, of Red River.

The following communication from the State Auditor was read:

STATE OF LOUISIANA, Auditor's Office, New Orleans, February 3, 1875.

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

In my report for the year 1874 the name of Mr. J. R. Goyne appears as being in default to the State for the sum of $509 40. This amount has duly been paid into the State treasury, as per Treasurer's receipt dated February 3, 1575, and exhibited to me, and Mr. Goyne's account with the State is now settled.

Very respectfully,
CHARLES CLINTON,
Auditor.

The following communication from the State Treasurer was read and referred to the Committee on Ways and Means:

STATE OF LOUISIANA, Treasurer's Office, New Orleans, February 3, 1875.

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

In accordance with resolution adopted by the House of Representatives, session of January 28, 1875, I beg leave to submit the following statement for examination. The vouchers for same are on file in this office, and subject to your orders:

Amount approved under act No. 59 of 1874, for contingent expenses, State Treasurer's office, $1000.

| | |
|---|---|
| B. Bloomfield & Co., stationery | $45 85 |
| J. Buckley, stationery | 238 20 |
| Messenger's salary (twelve months at $20) | 240 00 |
| Rent postoffice box | 8 40 |
| Gas bills | 5 70 |
| E. Filleul, legal advise | 250 00 |
| P. B. Bell, night watchman, corner of Carondelet and Union | 25 00 |
| A. W. Hyatt, printing | 40 00 |
| E. Teetzel & Co., ribbons for stamps | 1 75 |
| A. Simon, repairing stoves and pipes | 26 25 |
| C. C. Hartwell, fixing water closet | 2 50 |
| Heath & Lara, removing safe from Union and Carondelet to State House | 40 00 |
| New Orleans Republican Printing Company, advertisement | 6 00 |
| Postage and revenue stamps | 48 00 |
| Ice bills and sundries | 35 00 |
| Total | $1011 65 |

The surplus amount over the appropriation has been advanced by the State Treasurer.

There are bills still unpaid for contingent expenses amounting to $125.

All of which is respectfully submitted,
ANTOINE DUBUCLET,
State Treasurer.

The following communications from the Secretary of State were read:

STATE OF LOUISIANA, Office Secretary of State, New Orleans, February 3, 1875.

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

In reply to a resolution adopted by your honorable body, a copy of which was furnished me on the twenty-ninth of last month, I have the honor to submit the following detailed statement of the manner in which the contingent fund appropriated for the use of my office was disposed of by me, to wit:

Amount appropriated, $2000, the warrant issued in payment of which (amount sold at forty cents on the dollar, brought $800.

| | |
|---|---|
| Twenty-five barrels of coal at $1 per barrel | $25 00 |
| Moving office of Secretary of State | 15 00 |
| Ten copies Revised Statutes at $10 each | 100 00 |
| Stationery for use of office | 25 00 |
| Seal of office | 10 00 |
| Books and stationery | 200 00 |
| Stamps for office | 30 00 |
| Locks to office | 20 00 |
| Stove in office | 7 50 |
| Fitting gas pipes | 25 00 |
| Expressage expenses | 100 00 |
| Amount of expenses | $785 00 |
| Net amount appropriated | 800 00 |
| Balance | $2 50 |

Respectfully,
P. G. DESLONDE,
Secretary of State.

STATE OF LOUISIANA, Office Secretary of State, New Orleans, February 3, 1875.

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

In compliance with a resolution adopted by your honorable body, I have the honor to submit the following detailed statement of the disposition made by me of the contingent fund appropriated for the benefit of the State library.

Amount appropriated $300, the warrant issued in payment thereof being sold at forty cents on the dollar, brought $120.

| | |
|---|---|
| Twenty-five barrels coal at $1 | $25 |
| Stamps | 5 |
| Southern Express Company | 70 |
| Stationery | 20 |
| Total | $120 |

Respectfully submitted,
P. G. DESLONDE,
Secretary of State.

That relative to the State library was referred to the Committee on State Library, and that relative to the contingent expenses of his department was referred to the Committee on Ways and Means.

The following additional communication was received and referred to the Committee on Appropriations:

STATE OF LOUISIANA, Office Secretary of State, New Orleans, February 3, 1875.

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

In answer to a resolution adopted yesterday by your honorable body I have the honor to inclose herewith a copy of my annual report to the Governor on the fifth of January, 1874, which report furnishes all the information actually needed.

I regret exceedingly that the last General Assembly neglected to make the necessary appropriation which would have enabled me to carry out the provisions of the law.

Respectfully, etc.,
P. G. DESLONDE,
Secretary of State.

The Superintendent of Public Education submitted the following communication, which was referred to the Committee on Education:

STATE OF LOUISIANA, Office Superintendent of Public Education, New Orleans, January 30, 1875.

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

Accompanying, please find detailed statement of the disbursement of the contingent fund of this office, for the years 1873 and 1874.

The appropriation for rent of office for 1872 having been exhausted in September of that year, my contingent fund was drawn upon for $300.

No appropriation has ever been made to supply this office with furniture; my predecessor used his own furniture, and when his term of office expired he took that away with him; hence, the following expenses became absolutely necessary:

| | |
|---|---|
| February 27, 1873, painting | $125 00 |
| April 4, 1873, furniture and carpets | 885 69 |
| July 5, 1873, repairs to office | 352 00 |
| August 1, 1873, paper hanging and window trimmings | 238 70 |
| November 1, 1873, gas fixtures and plumbing | 125 00 |
| Total | $1726 39 |

The item March 12, 1874, office help, $700 is for clerical help in 1873 and 1874, Mr. J. O. Woodward's service for one year. It has cost the office from $700 to $1200 annually to keep up the work of the office, which is now exceedingly laborious and constantly increasing. The other items need no explanation.

Respectfully,
WILLIAM G. BROWN,
State Superintendant of Public Education.

PETITIONS MEMORIALS AND RESOLUTIONS.

Mr. Lowell, of Jefferson, offered the following resolution which was read under a suspension of the rules.

*Resolved*, That 15,000 copies of the State constitution of 1868, with amendments, since adopted, be printed for general distribution.

Mr. Raby, of Natchitoches, moved to lay the resolution on the table.

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

Yeas—Armstead, Hunsaker, Jourdain, Mathews of Tensas, Murrell, Milon, Raby—7.

Nays—Speaker Hahn, Butler, Baker, Carville, Crawford, Connaughton, Cousin, Drury, Davidson, Dewees, DeLacey, Dickenson, Demas, Floyd, Guichard, Gracien, Grant, Hill of Ascension, Hill of Ouachita, Hubeau, Johnson of Caddo, Johnson of De Soto, Jones of Pointe Coupee, Keating, Lane, Lowell, Levisee, Marie, Pierson, Poindexter, Piles, Randall, Ridgely, Ray, Richards, Stewart, Sutton, Soutnard, Snaer, Sartain, Souer, Tyler, Triplet, Thomas, Wilson, Woods, Ward, Wright—48.

Lost.

On motion of Mr. Wilson, of East Baton Rouge, the resolution was adopted.

NOTICES OF BILLS.

Notices were given that at some future time the following entitled bills would be introduced:

By Mr. Ray, of East Feliciana:

An act to amend an act entitled an act to organize, arm and equip a uniformed militia, approved April 5, 1870.

By Mr. Milon, of Plaquemines:

An act defining the jurisdiction of parish judges and for other purposes.

By Mr. Sartain, of Carroll:

An act to appropriate $15,000 for the Secretary of State to purchase the necessary number of Ray's Revised Civil Code, Code of Practice and Revised Statutes of the State of Louisiana, for the use of the members of the General Assembly, and all constitutional officers of the State as aforesaid.

REPORTS OF STANDING COMMITTEES.

The Committee on Retrenchment and Reform submitted the following majority and minority reports, which were received:

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

Your Committee on Retrenchment and Reform to whom was referred House bill No. 49, entitled an act to fix the salaries of the parish judges throughout the State and to allow them to charge and collect fees in certain cases, beg leave to report favorably on said bill and recommend its passage.

Your committee also report for the consideration of the House a bill (originating with them) entitled an act providing a salary for the criminal sheriff of the parish of Orleans in lieu of fees of office.

Also, a bill entitled an act providing that a salary be paid to the sheriffs and clerks of district courts throughout the State, in lieu of fees of office in criminal matters, and authorizing the several police juries of the State to fix the amount of such salaries.

Your committee also report favorably on bill No. 28, entitled an act to defer the assessing and collecting of the tax known as the park tax of the city of New Orleans for a period of five years, and to repeal section eighteen of act No. 84, approved March 16, 1870.

A. B. LEVISEE, Chairman;
W. F. SOUTHARD.

COMMITTEE ON RETRENCHMENT AND REFORM, New Orleans, February 3, 1875.

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

I beg leave to submit the following minority report on House bill No. 49:

I disagree with the other members of the committee, and submit the accompanying substitute for the original bill, and recommend its passage.

This substitute seems to me to be more reformatory than the original bill. At the same time it will reward the services of the judges. It seems to me the original bill would be more oppressive to poor people than the present law.

This substitute reduces the aggregate salaries of all parish judges in the State $28,500.

Respectfully submitted,
JAMES S. MATHEWS.

Mr. Sartain, of Carroll, moved that the bills reported by the committee be printed and made the special order of the day for Monday next at 1 P. M.

Carried.

The Committee on Public Printing submitted the following report which was received and accepted:

COMMITTEE ON PRINTING, New Orleans, February 3, 1875.

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

Your committee having had under consideration House bill No. 22, an act to reduce the expenses of public printing, providing for the printing for the several parishes, and for judicial notices and advertisements of forced sales, beg leave to report favorably by substitute, and to recommend the passage of said substitute.

Respectfully submitted,
F. MARIE, Chairman;
J. P. WILSON,
WILLIAM RIDGLEY,
GEORGE DRURY,
L. J. SOUER.

Mr. Demas, of St. John, moved that House bill No. 56, substitute for House bill No. 22, be printed in the journal, and made the special order of the day for Wednesday next, immediately after the reading of the journal.

Carried.

An act to reduce the expenses of public printing.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That from and after the passage of this act the printing of the official proceedings of the Legislature, and the promulgation of statutes at the expense of the State shall be restricted to the official journal of the State, published at the seat of government.

SEC. 2. Be it further enacted, etc., That this act shall take effect from and after its passage, and that all laws and parts of laws in conflict herewith, be, and the same are hereby repealed.

MESSAGE FROM THE SENATE.

The following message was received:

SENATE CHAMBER, New Orleans, February 3, 1875.

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

I am directed by the Senate to ask the concurrence of your honorable body in the passage of a bill entitled an act to limit the fees of the district attorney of the parish of Orleans, returned by the Governor to the Senate, in which the bill originated, with his objection.

P. E. BECHTEL,
Secretary of the Senate.

The Committee on Enrollment submitted the following report:

COMMITTEE ON ENROLLMENT, February 1, 1875.

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

Your Committee on Enrollment begs leave to report as having been duly enrolled the following:

Concurrent resolution relative to the suspension of Anthony Drayton, clerk of the Fifteenth Judicial District Court of Louisiana.

Also, as having been duly engrossed, the following:

House bill No. 35, an act to repeal an act entitled an act to increase the salary of the district attorney of the Tenth Judicial District of the State of Louisiana.

And House bill No. 21, a substitute for House bill No. 7, an act transferring the parishes of Red River and Natchitoches from the Seventeenth Judicial District of the State of Louisiana.

Respectfully submitted,
HENRY DEMAS, Chairman.

The Committee on Judiciary submitted the following report, which was received, accepted and adopted:

COMMITTEE ON JUDICIARY, New Orleans, February 3, 1875.

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

Your Committee on Judiciary, having had under consideration House bill No. 46, being an act to pay the constable of the fifth justice of the peace in criminal cases, as per fee bill in Revised Statutes of 1870, beg leave to report favorably thereon and recommend the passage of the same.

Also, House bill No. 8, being an act to amend sections 925 and 926 of the Revised Statutes of the State, and report favorably thereon by substitute and recommend passage of the same.

CHARLES W. LOWELL,
Chairman.

House bill No. 46—reported by the committee—was considered as engrossed.

Under a suspension of the constitutional rules the bill was placed upon its third reading and final passage, its title adopted, and it was ordered to be sent to the Senate for concurrence.

House bill No. 57, substitute for House bill No. 8, reported by the committee, was considered engrossed and its further consideration was fixed for next Friday.

Its printing was ordered in the journal.

An act to amend and re-enact sections 925, 926 and 927 of the Revised Statutes of the State of Louisiana.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That section 925 of the Revised Statutes of the State of Louisiana be and is hereby amended and re-enacted so as to read as follows, to wit:

"SEC. 925. Whoever shall willfully and maliciously cut, alter, break, pull down or destroy in any manner whatsoever any public or private levee or embankment, the same being within a levee district in the State of Louisiana, and made for protection from overflow, or shall aid or abet any person in so doing, shall, on conviction, be imprisoned at hard labor not more than ten years, or fined not exceeding five thousand dollars."

SEC. 2. Be it enacted, etc., That section 926 of the Revised Statutes of the State of Louisiana be amended and re-enacted so as to read as follows, to wit:

"SEC. 926. Whoever shall willfully and maliciously attempt to cut, alter or break, pull down or destroy in any manner whatever any public or private levee or embankment, the same being within a levee district in the State of Louisiana, and made for protection from overflow, shall, on conviction, be imprisoned at hard labor not exceeding two years, or be fined not exceeding three thousand dollars."

SEC. 3. Be it further enacted, etc., That section 927 of the Revised Statutes of the State of Louisiana be amended and re-enacted so as to read as follows, to wit:

"SEC. 927—Whoever shall willfully and maliciously cut, alter or break, pull down or destroy, and whoever shall willfully and maliciously aid and abet any person in the act of cutting, altering or breaking in any manner whatsoever levees, canals or other works made to protect the city of New Orleans from overflow, shall, on conviction, be imprisoned at hard labor not exceeding ten years, or be fined not exceeding five thousand dollars."

SEC. 4. Be it further enacted, etc., That this act shall take effect from and after its passage.

Upon motion of Mr. Guichard, of St. Bernard, the following Senate amendments to the appropriation bill were ordered to be printed in the journal:

AMENDMENTS TO HOUSE BILL NO. 20.

Strike out all after the enacting clause and insert—

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 authorizing the sale of warrants in certain cases, and prescribing the manner in which the same shall be paid.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That the sum of one 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 salaries 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 to the order of the chairman 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 providing, further, that a process verval 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.

Upon motion of Mr. Pierson, of Natchitoches, the House was adjourned until tomorrow at 12 o'clock M.

WILLIAM VIGERS,
Chief Clerk.

### THE SENATE YESTERDAY.

Twenty-Fifth Day's Session.

SENATE CHAMBER, New Orleans, February 3, 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, Anderson, Allain, Blunt, Breaux, Brewster, Burch, Chadbourn, Crozier, Detiege, Dumont, Gla, Greene, Harper, Kelso, Pollard, Stamps, Twitchell, Weber, Whitney, Young—21.

Absent—Messrs. Blackburn, Cage, Eustis, George, Grover, Herwig, Kelly, Landry, Masicot, Ogden, Robertson, Steven, Sypher, Wharton, White—15.

The President announced that there was a quorum present.

Prayer by the chaplain.

Mr. Whitney moved the adoption of the journal of Monday, February 1, 1875.

Adopted.

The Secretary commenced to read the journal of the second instant.

On the motion of Mr. Stamps, the further reading of the journal was dispensed with.

Corrected and adopted.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, New Orleans, February 3, 1875.

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. 21, substitute for House bill No. 7, an act transferring the parishes of Red River and Natchitoches from the Seventeenth Judicial District of the State of Louisiana.

House bill No. 35, an act to repeal an act entitled an act to increase the salary of the district attorney of the Tenth Judicial District of Louisiana.

Very respectfully,
JOHN W. ROXBOROUGH,
Assistant Clerk.

EXECUTIVE COMMUNICATION.

STATE OF LOUISIANA, Auditor's Office, New Orleans, February 3, 1875.

To the Honorable President and Members of the Senate:

In my report for the year 1874, the name of Mr. J. R. Goyne appears as being in default to the State for the sum of $509 40. This amount has been duly paid into the State treasury, as per Treasurer's receipt, dated February 3, 1875, and exhibited to me, and Mr. Goyne's account with the State is now settled.

Very respectfully,
CHARLES CLINTON, Auditor.

REPORTS OF COMMITTEES.

Mr. Twitchell, chairman of the Committee on Corporations and Parochial Affairs, submitted the following:

That the committee report favorably upon House bill No. 16, to be entitled an act to incorporate the Friendly Brothers' Benevolent Association of Delta, Madison parish, Louisiana.

Lies over.

NOTICES OF BILLS.

By Mr. Young:

Of a bill to be entitled an act to abolish the office of division superintendents of public education, and to prescribe the manner of performing the duties now performed by the division superintendents of public education.

Also, of a bill to be entitled an act relative to official printing, and providing for the selection of the official papers and the manner of paying for the official printing for the State and parishes.

INTRODUCTION OF BILLS.

Mr. Stamps obtained unanimous consent and introduced the following bill:

A bill to be entitled an act to establish an insurance inspection department, to define the powers and duties of the insurance commissioner, to declare a standard of legal safety in insurance and the obligations and requirements of insurance companies, associations and agents, and prescribing the penalties for violations of the provisions of this act, and fixing salary and fees and how the same shall be paid.

The bill was read the first time.

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

Mr. Chadbourn obtained unanimous consent and introduced the following bill:

An act to be entitled an act for the relief of John Page.

The bill was read the first time.

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

SENATE BILLS ON THIRD READING.

Mr. Weber obtained unanimous consent and called up Senate bill No. 43, substitute for Senate bill No. 4, to be entitled an act to abolish the office of district attorney pro tempore, reserving to police juries the right to employ counsel.

The bill came up for third reading and final passage.

The bill was read the third time.

[Mr. Young in the chair.]