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OFFICIAL JOURNAL

OF THE

FOURTH GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA

SENATE.

Thirty-Fourth Day's Session.

SENATE CHAMBER,
New Orleans, February 16, 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.

Present—Messrs. Alexander, Anderson, Allain, Blackburn, Blunt, Breaux, Burch, Cage, Chadbourn, Crozier, Dumont, Gla, Greene, Harper, Landry, Pollard, Stamps, Sypher, Twitchell, Wharton, Whitney—21.

Absent—Messrs. Brewster, Detiege, Eustis, George, Grover, Herwig, Kelly, Kelso, Masicot, Ogden, Robertson, Steven, Weber, White, Young—15.

The President announced that there was a quorum present.

Prayer by the Rev. Dr. Fulton, of Brooklyn.

The Secretary commenced to read the journal of Monday's proceedings.

On the motion of Mr. Stamps, the further reading of the journal was dispensed with, and the same corrected and approved.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
New Orleans, February 16, 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 House bill No. 18, entitled an act regulating the fees of recorders.

Very respectfully, etc.,
JOHN W. ROXBOROUGH,
Assistant Clerk.

HOUSE OF REPRESENTATIVES,
New Orleans, February 16, 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 bill, viz:

House bill No. 67, an act to provide for the purchase of a State House, to make appropriation therefor, to set apart the necessary funds, and to grant jurisdiction for the enforcement of the acts of sale and mortgage.

Very respectfully, etc.,
JOHN W. ROXBOROUGH,
Assistant Clerk.

REPORTS OF COMMITTEES.

Mr. Burch, chairman of the Committee on Penitentiary, submitted the following report:

COMMITTEE ON PENITENTIARY,
New Orleans, February 16, 1875.

To the Honorable President and Members of the Senate:

Your Committee on Penitentiary, to whom was referred bill No. 63, relative to convicts working on the outside of the walls of the Penitentiary, having had the same under consideration, respectfully beg leave to report as follows:

The same subject was under consideration by this committee during the session of 1873-1874, and the law bearing on it thoroughly examined, in addition to which the lessees of the Penitentiary were summoned before this committee and their authority to work the prisoners on the outside of the walls of the Penitentiary inquired into. Your committee would invite the attention of the Senate to the proceedings of this committee relative to this subject, contained in the official proceedings of the Senate for 1873, page 148.

Your committee having examined into the merits of this bill, and the results of its labors not proving entirely satisfactory, would, therefore, report back to the Senate bill No. 63, and ask that it be referred to the Committee on Judiciary, instructing them to report to the Senate their opinion as to what bearing the provisions of said bill (No. 63) will have on sections 2855, 2862, and that portion of section 2866, Revised Statutes, included in a proviso, and the lease now in the possession of the present lessees of the Penitentiary.

All of which is respectfully submitted,
J. HENRI BURCH, Chairman:
GEORGE Y. KELSO,
WILLIAM HARPER,
E. L. WEBER,
R. H. CHADBOURN.

Mr. Burch asked and obtained unanimous consent to take the report up and act on it at this time. No objections. The bill (No. 63) was then recommitted to the Committee on Judiciary.

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

COMMITTEE ON JUDICIARY,
New Orleans, February 16, 1875.

To the Honorable President and Members of the Senate:

Your Committee on Judiciary beg to report favorably on Senate bill No. 61, entitled an act to punish persons who shall be guilty of discharging firearms in any city or town in this State.

Very respectfully submitted.
THOMAS C. ANDERSON, Chairman.

INTRODUCTION OF BILLS.

Mr. Kelso introduced the following:

A bill to be entitled an act to appropriate the sum of $1250 for the payment of the salary of Henry L. Daigre as parish judge of Rapides parish.

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. Burch introduced a bill to be entitled an act to amend and re enact item twentieth of section ten of act No. 114 of the session of the General Assembly of 1874, entitled an act to amend and re enact 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.

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 Corporations and Parochial Affairs.

Mr. Wharton introduced a bill to be entitled an act to repeal the act of March 3, 1874, entitled an act authorizing the Governor to appoint an Assistant Attorney General, regulating his office, defining his duties and fixing his compensation, and authorizing certain officers to appear by attorneys selected by them.

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. Greene introduced a bill to be entitled an act to fix the price of the public State lands; to authorize the Register of the State Land Office to sell the sixteenth or school sections, and to provide a way for the settlement by the State of lands erroneously sold.

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 Public Education.

RESOLUTIONS INTRODUCED.

Mr. Burch introduced a resolution authorizing an inquiry into the management of the House of Refuge in the city of New Orleans under section 3879 of the Revised Statutes:

Lies over.

Mr. Blackburn offered the following resolution:

WHEREAS, The doctrine or political theory that "to the victors belong the spoils," is the only safe party rule, and does not at all necessarily imply corruption or venality, because if a party is right its principles are worthy to be upheld and preserved by an equal and proper distribution of its patronage among its members, a contrary course being not only individually unjust to those who strive and toil for party success, but demoralizing both to the successful party itself and to the body politic in general, and therefore never should be indulged where competent and worthy men may be found to fill the offices and places of emolument and honor accruing under a triumph of their party: therefore be it

Resolved, That it is the sense and sentiment of this Senate that all the appointive offices in this State should be given to true and worthy and competent Republicans, and that the Republican Senators should in all cases be advised with and consulted in regard to all appointments in their respective senatorial districts; that we will not countenance any other policy on the part of our Republican Governor, to sustain and uphold whom we have suffered and risked so much, and trust he will at once see the justice of our position, and readily and cheerfully accord with us,

Resolved further, That it is of the first importance to the continued success and harmony of the Republican party of Louisiana, and is demanded by the strict rule both of political and moral justice, that all the patronage of the Customhouse at New Orleans should not only be meted out to true and competent members of the Republican party, but the distribution should also be as equally as possible distributed among the party throughout the State, each parish being entitled to some consideration and recognition in the premises; that the best places should invariably be accorded the oldest and most uniformly faithful and competent members of the party; and with this view of political equity and justice, we express it as our sense of right and propriety that our Republican Senators and Representatives in the Congress of the United States should be heard and consulted in regard to the proper distribution of this Customhouse patronage, and also in regard to all other appointments affecting our prosperity and destiny as members of the great Republican party and as American citizens.

Lies over.

RESOLUTIONS LYING OVER.

Mr. Whitney called up the following:

Resolved, That the usual sum of $500 "each" be and the same is hereby appropriated to the reporters of the daily papers who have continually reported the proceedings of the Senate, the same to be paid out of the contingent fund of the Senate by the chairman of the Committee on Auditing and Supervising the Expenses of the Senate, upon proper voucher, approved by the President; provided, that no reporter shall be paid who has failed to report the proceedings of each day's session.

Mr. Weber offered the following to be added as a proviso:

Further provided that they report the proceedings of the Senate and House of Representatives of Louisiana instead of the "Hahn Wing" or "Antoine's Crowd."

Adopted.

Mr. Burch offered the following:

Excepting the New Orleans Bee.

Adopted.

On motion of Mr. Blunt to table the whole subject matter the yeas and nays were called.

Pending the question Mr. Burch called the special order of the day.

SPECIAL ORDER OF THE DAY.

Senate bill No. 34, to be entitled an act to organize and render more efficient the Board of Health of the State of Louisiana; to define its powers and prescribe its duties and those of quarantine and other officers under its control; to provide for its expenses and for the recording of births, deaths and marriages; to provide penalties, and for the enforcement of the same, for violations of this act and the ordinances and orders made in pursuance thereto.

On motion of Mr. Burch, the bill was recommitted to the Committee on Health and Quarantine.

The President directed the Secretary to read the following communication:

NEW ORLEANS, February 15, 1875.

Hon. C. C. Antoine:

DEAR SIR—It seems to me you would advance the interests of our commerce if you would have the Senate pass a memorial to Congress, asking them to aid Tom Scott's bill asking for aid in building his Texas Pacific railway and branches. Also, aid for improvement of South Pass, at the mouth of the river; also for levees. Other Legislatures North have done so, and we should make it our first business to look to our great internal improvement.

Very respectfully,
L. J. HIGBY.

Referred to the Committee on Railroads and Internal Improvements.

Mr. Burch called up Senate bill No. 35, a bill to be entitled an act to provide for taking of the State census, the same being the special order of the day.

The President declared the pending question to be the amendment which Mr. Twitchell offered, as follows: "Nor shall any supervisor or clerk receive pay for more than forty days for each 7000 inhabitants." To be added to section seven.

[Mr. Wharton in the chair.]

Mr. Brewster moved to amend the amendment by striking out the word "forty" and inserting "fifty."

Mr. Burch submitted the following as a substitute for the amendment of Mr. Twitchell, as proposed to be amended by Mr. Brewster: "Parishes of 25,000 and upward, 100 days; parishes of 15,000 to 25,000, ninety days; all other parishes sixty days, and in the parish of Orleans twenty days for every 50,000 inhabitants."

Mr. Cage moved to table the substitute of Mr. Burch.

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

The Senate refused to table, as follows:

Yeas—Alexander, Breaux, Cage, Crozier, Masicot, Young—6.

Nays—Allain, Blunt, Brewster, Burch, Chadbourn, Dumont, Greene, Landry, Pollard, Stamps, Weber, Wharton, Whitney—13.

Absent—Anderson, Blackburn, Detiege, Eustis, George, Gla, Grover, Harper, Herwig, Kelly, Kelso, Ogden, Robertson, Steven, Sypher, Twitchell, White—17.

On motion of Mr. Burch, the substitute was adopted, to be added to section seven for the amendment of Messrs. Twitchell and Brewster.

On motion of Mr. Burch, section seven was adopted as amended.

Section eight was then read.

Mr. Allain moved to strike the word "two" and insert "one."

Mr. Cage moved to table the motion.

Tabled.

Mr. Young moved to reconsider the vote by which the Senate tabled the motion to strike out "two" and insert "one."

Mr. Crozier moved to table the motion.

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

The Senate refused to table by the following vote:

Yeas—Brewster, Burch, Cage, Crozier, Greene, Landry, Pollard—7.

Nays—Alexander, Allain, Blunt, Breaux, Chadbourn, Dumont, Robertson, Twitchell, Weber, Wharton, Whitney, Young—12.

Absent—Anderson, Blackburn, Detiege, Eustis, George, Gla, Grover, Harper, Herwig, Kelly, Kelso, Masicot, Ogden, Stamps, Steven, Sypher, White—17.

Mr. Wharton in the chair, declared that the question recurred upon the motion to reconsider.

Mr. Young moved the previous question.

The main question was ordered.

The Senate voted to strike out the word "two" and insert "one."

Mr. Young moved to adopt section eight as amended.

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

The Senate did not prove to have a quorum present:

Yeas—Blunt, Breaux, Chadbourn, Dumont, Stamps, Twitchell, Weber, Wharton, Whitney, Young—10.

Nays—Alexander, Allain, Burch, Cage, Crozier, Greene, Harper, Pollard—8.

Absent—Anderson, Blackburn, Brewster, Detiege, Eustis, George, Gla, Grover, Herwig, Kelly, Kelso, Landry, Masicot, Ogden, Robertson, Steven, Sypher, White—18.

Mr. Wharton in the chair ordered a call of the House.

The following Senators answered to their names:

Present—Messrs. Alexander, Anderson, Allain, Blunt, Brewster, Burch, Cage, Chadbourn, Crozier, Dumont, Gla, Greene, Harper, Pollard, Stamps, Weber, Wharton, Whitney, Young—19.

Absent—Messrs. Blackburn, Breaux, Detiege, Eustis, George, Grover, Herwig, Kelly, Kelso, Landry, Masicot, Ogden, Robertson, Steven, Sypher, Twitchell, White—17.

The chairman announced a quorum present.

On call of the yeas and nays the Senate refused to adopt the section as amended, by the following vote:

Yeas—Blunt, Breaux, Chadbourn, Dumont, Stamps, Twitchell, Weber, Wharton, Whitney, Young—10.

Nays—Allain, Alexander, Anderson, Burch, Cage, Crozier, Gla, Greene, Harper, Landry, Pollard—11.

Absent—Blackburn, Brewster, Detiege, Eustis, George, Grover, Herwig, Kelly, Kelso, Masicot, Ogden, Robertson, Steven, Sypher, White—15.

On motion of Mr. Cage, the section without amendment, was adopted as a substitute.

Section nine was then read.

Mr. Burch offered the following amendment which was adopted:

Strike out all after the word "cash" in line twelve, to the word "finance" in line fifteen and insert "as provided for in section seven of this act."

The section was then adopted as amended.

Section ten was read and stricken out.

Section eleven was read, to be section ten.

Mr. Whitney offered the following:

Strike out of line eighteen, all after the word "Governor."

Adopted.

The section eleven as amended was then adopted as section ten.

Section twelve was read as section eleven.

Mr. Whitney moved to strike out in line three the word "specifically."

Adopted.

Mr. Brewster offered the following as a substitute for the whole section:

That the sum of $85,000, or as much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury not otherwise appropriated, for the purpose of carrying out the provisions of this act.

Mr. Burch made the point of order that the sum of $85,000 is intended only to enable the State registrar of voters to carry out the provisions of the preceding section, relative to furnishing blanks, stationery, etc., and not to pay the salary of the supervisors of registration and their clerks, in consequence thereof the Senator from Ouachita was out of order.

Mr. Wharton, in the chair, did not sustain the point of order, and gave the following reason for his ruling:

That the section was now subject to amendment; that it was not within the knowledge of the Chair to what extent the Senator from Ouachita intended to so amend. He might, for instance, propose to make his amendment of $85,000 cover all expenses contemplated in the act, and therefore could not be required to confine his argument to one series of contemplated expenses only, but could show in argument the entire sum the act would require to carry its provisions into effect.

The section as amended was then adopted.

Section thirteen was then read as section twelve.

Mr. Chadbourn moved to strike out the word "ten," in line four, and insert the word "five."

Adopted.

Mr. Whitney offered the following proviso at the end of of section thirteen:

Provided, they shall receive compensation for forty days only.

Adopted.

The section was then adopted as amended.

Section fourteen for thirteen was then read and adopted.

Section fifteen for fourteen was then read and adopted.

Mr. Chadbourn moved to adopt the bill as amended as a whole, and moved the previous question.

The main question was ordered.

While Senators were trying to debate the bill Mr. Whitney made the point of order that the main question had been ordered, and no debate was in order.

Mr. Wharton, in the chair, sustained the point of order.

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

The Senate adopted the bill by the following vote, as a whole, as amended:

Yeas—Anderson, Allain, Brewster, Burch, Cage, Chadbourn, Crozier, Dumont, Harper, Kelso, Landry, Pollard, Stamps, Twitchell, Weber, Wharton, Whitney—17.

Nays—Alexander, Blunt, Breaux, Detiege, Gla, Greene, Masicot—7.

Absent—Blackburn, Eustis, George, Grover, Herwig, Kelly, Ogden, Robertson, Steven, Sypher, White, Young—12.

On call of two Senators the Senate went into executive session.

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

Present—Messrs. Anderson, Allain, Blunt, Breaux, Brewster, Burch, Cage, Chadbourn, Crozier, Detiege, Dumont, Gla, Greene, Harper, Kelso, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney—24.

Absent—Messrs. Alexander, Blackburn, Eustis, George, Grover, Herwig, Kelly, Ogden, Robertson, Steven, White, Young—12.

The President, in the chair, announced a quorum present.

Mr. Twitchell obtained unanimous consent and called up House bill No. 67, to be entiled an act to provide for the purchase of the State House; to make appropriation therefor; to set apart the necessary funds, and to grant jurisdiction for the enforcement of the acts of sale and mortgages.

The bill was read the first time.

Mr. Twitchell moved to suspend the constitutional rule.

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

The Senate voted to suspend the rule by the following vote, four-fifths voting in the affirmative.

Yeas—Anderson, Blunt, Breaux, Brewster, Cage, Crozier, Dumont, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Sypher, Twitchell, Weber, Wharton, Whitney, Young—21.

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

Absent—Alexander, Blackburn, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, White—10.

The bill was read the second time and referred to the Committee on Parks and Public Buildings.

By unanimous consent Mr. Pollard introduced the following bill to be entitled an act to incorporate the Christian Benevolent Society of Madison parish.

The bill was read a 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 Corporations and Parochial Affairs.

Also, by Mr. Pollard, a bill to be entitled an act to incorporate the Mound Pleasant Baptist Church, and defining its duties and objects.

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 Corporations and Parochial Affairs.

NOTICES OF BILLS.

Mr. Greene, by unanimous consent, gave the following notice:

Of a bill to be entitled an act for the relief of John W. Calcote. Collier Kidd and John Zeigler, sureties of William T. Kidd, sheriff of Jackson parish in the year 1866.

Mr. Chadbourn moved that the Senate adjourn till to-morrow at twelve o'clock M.

Adopted.

The President, in the chair, then declared that the Senate stood adjourned until Wednesday, February 17, at twelve o'clock M.

P. E. BECHTEL,
Secretary of the Senate.

HOUSE OF REPRESENTATIVES.

Thirty-fifth Day's Proceedings.

HOUSE OF REPRESENTATIVES,
New Orleans, February 17, 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, De Lacey, Demas, Floyd, Guichard, Gracien, Hill of Ascension, Hill of Ouachita, Hubeau, Honore, Jourdain, Johnson of Caddo, Johnson of De Soto, Jones of Pointe Coupee, Keating, Lane, Lowell, Levisee, Mathews of Tensas, Murrell, Milon, Marie, Martinet, Parker, Pierson, Poindexter, Piles, Ray, Raby, Richards, Rochon, Stewart, Sutton, Southard, Snaer, Sartain, Souer, Tyler, Triplet, Thomas, Wilson, Woods, Ward, Wright, Yorke—55.

Fifty-five members present and a quorum.

Prayer by the chaplain.

[Mr. Souer, of Avoyelles, in the chair].

By unanimous consent Mr. Mathews, of Tensas, chairman of the committee on conference on House bill No. 98, the appropriation bill, submitted the following report, which was received and read:

NEW ORLEANS, February 17, 1875.

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

As chairman of the committee on conference on part of the House on legislative appropriation bill, I beg leave to report the accompanying bill as a substitute for the original bill, act No. 98.

Respectfully,
JAMES S. MATHEWS,
Chairman.

Under a suspension of the rules, House bill No. 101, an act making an appropriation of $158,000 out of the general funds in the State Trausury, or received in the treasury during the year 1875, for the payment of the mileage and per diem of members, salaries of officers and employes, and contingent expenses of the General Assembly of Louisiana for the regular session of 1875; directing the Auditor of Public Accounts to issue warrants on the Treasurer, and making such warrants receivable for State licenses; directing the tax collectors throughout the State to receive the warrants in payment for licenses; directing the Treasurer of the State to receive such warrants in settlement with tax collectors, and to provide for the disbursement of the amount appropriated, substitute for House bill No. 98, was read.

Mr. Mathews, of Tensas, moved for a suspension of the constitutional rules, so as to put the bill on its second reading, on which the yeas and nays were demanded.

The roll was called, resulting as follows, viz:

Yeas—Speaker Hahn, Armstead, Baker, Crawford, Connaughton, Cousin, Drury, Davidson, Dewees, DeLacey, Dickenson, Demas, Floyd, Grant, Gracien, Hill of Ascension, Hill of Ouachita, Hubeau, Honore, Johnson of Caddo, Johnson of De Soto, Jones of Pointe Coupee, Lane, Lowell, Levisee, Mathews of Tensas, Murrell, Martinet, Parker, Poindexter, Piles, Rochon, Stewart, Snaer, Sartain, Souer, Tyler, Triplet, Wilson, Woods, Ward, Yorke—42.

Nays—Butler, Carville, Guichard, Hunsaker, Jourdain, Keating, Milon, Marie, Pierson, Richards, Ray, Raby, Sutton, Thomas, Wright—14.

Carried.

The bill was read a second time.

Mr. Murrell, of Madison, moved that its further consideration be postponed until to-morrow, and be made the special order of the day immediately after the reading of the journal, and that the bill be printed and laid on the desks of members.

Mr. Sartain, of Carroll, moved to lay the motion to postpone on the table, on which the yeas and nays were ordered with the following result:

Yeas—Speaker Hahn, Armstead, Baker, Crawford, Connaughton, Cousin, Drury, Davidson, Dewees, DeLacey, Dickenson, Demas, Floyd, Hill of Ascension, Honore, Johnson of De Soto, Jones of Pointe Coupee, Lane, Mathews of Tensas, Milon, Parker, Poindexter, Stewart, Southard, Snaer, Sartain, Souer, Tyler, Triplet, Wilson, Woods, Ward, Yorke—33.

Nays—Butler, Carville, Guichard, Gracien, Hill of Ouachita, Hubeau, Hunsaker, Jourdain, Johnson of Caddo, Keating, Lowell, Levisee, Martinet, Murrell, Marie, Pierson, Piles, Raby, Richards, Rochon, Ray, Sutton, Thomas, Wright—24.

Carried.

Mr. Mathews, of Tensas, moved to suspend the rule by which the bill is compelled to be considered in committee of the whole, on which the yeas and nays were ordered, with the following result, viz:

Yeas—Speaker Hahn, Armstead, Crawford, Connaughton, Cousin, Drury, Davidson, Dewees, DeLacey, Dickenson, Demas, Floyd, Hill of Ascension, Hill of Ouachita, Honore, Johnson of De Soto, Jones of Pointe Coupee, Lane, Martinet, Mathews of Tensas, Parker, Poindexter, Rochon, Stewart, Southard, Snaer, Sartain, Souer, Tyler, Triplet, Wilson, Woods, Ward, Yorke—34.

Nays—Butler, Baker, Carville, Guichard, Gracien, Hubeau, Hunsaker, Jourdain, Johnson of Caddo, Keating, Lowell, Levisee, Murrell, Milon, Marie, Pierson, Piles, Ray, Raby, Richards, Sutton, Thomas, Wright—23.

Two-thirds of the members present not voting in the affirmative, the motion to suspend the rules was lost.

Mr. Mathews, of Tensas, moved that the House resolve itself into committee of the whole to consider the appropriation bill.

Mr. Ray, of East Feliciana, moved to lay that motion on the table, on which the yeas and nays were ordered, with the following result:

Yeas—Butler, Baker, Carville, Guichard, Gracien, Hubeau, Hunsaker, Jourdain, Keating, Lowell, Murrell, Marie, Pierson, Piles, Richards, Ray, Sutton, Wright—18.

Nays—Speaker Hahn, Armstead, Crawford, Connaughton, Cousin, Drury, Davidson, Dewees, DeLacey, Dickenson, Demas, Floyd, Hill of Ascension, Hill of Ouachita, Honore, Johnson of Caddo, Johnson of De Soto, Jones of Pointe Coupee, Lane, Levisee, Mathews of Tensas, Milon, Parker, Poindexter, Stewart, Southard, Snaer, Sartain, Souer, Tyler, Triplet, Thomas, Wilson, Woods, Ward, Yorke—38.

Lost.

The House resolved itself into committee of the whole to consider the appropriation bill.

[Mr. Keating, of Caddo, in the chair.]

After considering the bill, the committee rose and the Speaker pro tem., Mr. Souer, of Avoyelles, resumed the chair.

The committee of the whole, through its chairman, reported that they had considered the bill and recommended its passage with amendments.

The report was received.

The following amendments to the first section, as recommended by the committee, were read and adopted:

After the words "contingent expenses of the House of Representatives," insert the words "including furniture, etc., for the use of the House of Representatives." And after the words "contingent expenses of the Senate," insert the words" including furniture, etc., for the use of the Senate."

The section as amended was adopted.

The second section was read.

Mr. Mathews, of Tensas, moved to lay on the table the following amendment offered to section two, and recommended by the committee:

After the word "thereof" insert: Upon such certificate the chairman of the Contingent Expense Committee of the House and the chairman of the Committee on Audlting and Supervising the Accounts of the Senate shall issue a warrant upon the presentation of the above certificates; 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 thousand dollars, less the amount due absent members, who have not qualified, for their mileage and per diem, 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 on the Committee on Auditing and Supervising the Expenses of the Senate shall draw his warrant, approved by the President of the Senate, less the amount due each absent member who has not qualified, his mileage and per diem, for the sum of fifty-eight 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 his warrants in such sums as the respective chairmen shall indicate, and the said Treasurer shall pay the said warrants upon presentation.

On the motion to lay the amendment on the table the yeas and nays were ordered, with the following result:

Yeas—Speaker Hahn, Armstead, Crawford, Connaughton, Cousin, Drury, Davidson, De Lacey, Floyd, Hill of Ascension, Hill of Ouachita, Honore, Johnson of De Soto, Jones of Point Coupee, Lane, Levisee, Martinet, Matthews of Tensas, Poindexter, Rochon, Southard, Sartain, Triplet, Wilson, Ward—25.

Nays—Butler, Baker, Carville, Dewees, Dickenson, Demas, Guichard, Gracien, Hubeau, Hunsaker, Jourdain, Johnson of Caddo, Keating, Lowell, Murrell, Milon, Marie, Parker, Pierson, Piles, Ray, Raby, Richards, Stewart, Sutton, Souer, Tyler, Thomas, Woods, Wright, Yorke—31.

Lost.

The Speaker resumed the chair.

Mr. Pierson, of Natchitoches, moved to adopt the amendment, on which the yeas and nays were demanded with the following result:

Yeas—Butler, Baker, Carville, Connaughton, Dewees, Demas, Guichard, Gracien, Hubeau, Honore, Hunsaker, Jourdain, Johnson of Caddo, Keating, Lane, Lowell, Levisee, Murrell, Milon, Marie, Parker, Pierson, Poindexter, Piles, Ray, Richards, Raby, Stewewart, Sutton, Souer, Thomas, Woods, Wright, Yorke—34.

Nays—Speaker Hahn, Armstead, Crawford, Cousin, Drury, Davidson, De Lacey, Dickenson, Floyd, Hill of Ascension, Hill of Ouachita, Johnson of De Soto, Jones of Point Coupee, Mathews of Tensas, Martinet, Southard, Sartain, Triplet, Rochon, Wilson, Ward—21.

Carried.

The section as amended was adopted.

The bill as a whole was adopted and considered as engrossed.

Under a suspension of the constitutional rules the bill was read a third time.

On the final passage of the bill the yeas and nays were ordered, with the following result:

Yeas—Speaker Hahn, Butler, Baker, Connaughton, Crawford, Cousin, Drury, Dickenson, Dewees, DeLacey, Demas, Floyd, Guichard, Gracien, Hill of Ascension, Hubeon, Honore, Hunsaker, Jourdain, Johnson of Caddo, Johnson of De Soto, Keating, Levisee, Murrell, Milon, Marie, Martinet, Parker, Pierson, Piles, Richards, Ray Raby, Rochon, Stewart, Sutton, Souer, Thomas, Tyler, Wright, Yorke—40.

Nays—Armstead, Carville, Davidson, Hill of Ouachita, Jones of Pointe Coupee, Lane, Lowell, Mathews of Tensas, Poindexter, Southard, Sartain, Triplet, Wilson, Woods, Ward—15.

Carried.

The bill was finally passed, its title adopted, and it was ordered to be sent to the Senate for concurrence.

Mr. Raby, of Natchitoches, moved to reconsider the vote whereby the appropriation bill was finally passed, and also moved to lay the motion to reconsider on the table.

Carried.

MESSAGE FROM THE GOVERNOR.

The following message was received and accepted:

STATE OF LOUISIANA,
Executive Department,
New Orleans, February 17, 1875.

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

An act originating in the House of Representatives, entitled an act to incorporate the Friendly Brothers' Benevolent Association of the town of Delta, State of Louisiana, has this day become law without my approval. The bill in question presents no objectionable features calling for executive veto, and at the same time contains no provisions of a legislative character which are either necessary or beneficial to the State at large. It is simply what it purports to be, an act of incorporation of a benevolent association. As this is the first measure of the kind that has been presented to me during this the first session of the present General Assembly, I deem it proper to call your attention to the fact that during the last session of your predecessors, more than one-fifth of the acts passed, and now appearing on the statute books of the State, were acts incorporating benevolent and other similar societies, which could just as well have been passed before a notary public. The injustice of thus making the State pay for the promulgation of the charters of private associations is apparent, and the attendant expense forms a very large item in the appropriation for printing purposes. I commend this subject to your consideration, and suggest that should the general incorporation law of the State be found inadequate to provide for the incorporation of private benevolent associations, the law should be amended so as to prevent the statute books from being cumbered with private legislation, and the State from being saddled with the costs thereby entailed.

WILLIAM P. KELLOGG,
Governor.

Mr. Hill, of Ouachita, by consent offered the following resolution, which lies over under the rules:

WHEREAS, Three-fourths of this session has already elapsed, and a very large amount of business, including important reform measures, remains untouched or unfinished; therefore be it

Resolved, That upon and from Monday next, the twenty second instant, the regular session of this House shall commence at 11 A. M.

Mr. Sartain, of Carroll, moved an adjournment.

Lost.

By consent, Mr. Ray, of East Feliciana, offered the following resolution:

Resolved by the House of Representatives of the State of Louisiana, that William Ward, a member from the parish of Grant, having violated the proprieties of this House by disorderly conduct, and by resisting the authority of the Speaker, and offering violence on this floor, is hereby expelled.

Mr. Stewart, of Tensas, moved the adoption of the resolution, and called for the previous question thereon.

The main question was ordered.

On its adoption the yeas and nays were ordered, with the following result:

Yeas—Speaker Hahn, Armstead, Crawford, Connaughton, Dewees, DeLacey, Guichard, Hill of Ascension, Honore, Hunsaker, Jourdain, Johnson of Caddo, Johnson of De Soto, Jones of Pointe Coupee, Keating, Lane, Lowell, Levisee, Mathews of Tensas, Murrell, Martinet, Pierson, Ray, Raby, Stewart, Snaer, Souer, Tyler, Triplet, Woods, Wright—31.

Nays—Butler, Cousin, Drury, Davidson, Dickenson, Floyd, Gracien, Hubeau, Milon, Marie, Parker, Sartain, Sutton, Thomas, Wilson—15.

No quorum voting.

Upon motion of Mr. Ray, of East Feliciana, the House was adjourned until to-morrow at twelve o'clock.

WILLIAM VIGERS,
Chief Clerk.

SHERIFF'S SALES.

Joseph Garrish vs. G. W. Train.

SIXTH DISTRICT COURT FOR THE PARISH OF Orleans, No. 1625.—By virtue of a writ of seizure and sale directed by the honorable the Sixth District Court for the parish of Orleans, in the above entitled cause, to Thomas L. Maxwell, late sheriff, and by him transferred to C. S. Sauvinet, also late sheriff, and by the latter to me transferred, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on TUESDAY, March 9, 1875, at twelve o'clock M., the following described property, to wit—

TWO CERTAIN LOTS OF GROUND, together with all the buildings and improvements thereon, etc., situated in West Bouligny, now Sixth District, in the city of New Orleans and parish of Jefferson, in this State, in square bounded by Napoleon avenue, Chestnut, Jena and Plaquemine streets; said lots are designated by the numbers twenty-three and twenty-four of square number thirty-seven, on a plan book annexed to an act of deposit dated fifth of April, 1865, before S. Magner, late a notary public in this city. Said lots adjoin each other and measure each twenty-eight feet four inches front on Jena street, by a depth, between parallel lines, of one hundred and ten feet, lot number twenty-four forming the corner of Plaquemine and Jena streets. Purchased by defendant herein from Pliney E. Davis, by act before Justin Hotard, notary public in Jefferson parish, of date twelfth of June, 1868.

Seized in the above suit.
Terms—Cash on the spot.
EUGENE WAGGAMAN,
Civil Sheriff of the Parish of Orleans.
fe4 13 20 mh9

Alfred Kearney vs. Joseph W. Fowler.

FIFTH DISTRICT COURT FOR THE PARISH of Orleans, No. 19,757.—By virtue of a writ of fieri facias to me directed by the honorable the Fifth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, February 20, 1875, at twelve o'clock M., the following described property, to wit—

A CERTAIN LOT OF GROUND, with the buildings and improvements thereon, situated in the First District of this city in the square bounded by Erato, Carondelet, Thalia and St. Charles streets, designated a lot fourteen on a plan deposited in the office of T. J. Beck, late a notary public in this city, as plan twenty one, and measuring twenty-eight feet eight inches front on Erato street, by one hundred and twenty seven feet ten inches four lines deep, between parallel lines. Being