OFFICIAL JOURNAL

OF THE

FOURTH GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA

SENATE.

Thirty-seventh Day's Session.

SENATE CHAMBER,
New Orleans, February 19, 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 ot the Senate.

Present—Messrs. Blunt, Burch, Cage, Crozier, Gla, Harper, Herwig, Kelso, Twitchell—9.

Absent—Messrs. Alexander, Anderson, Allain, Blackburn, Breaux, Brewster, Chadbourn, Detiege, Dumont, Eustis, George, Greene, Grover, Kelly, Landry, Masicot, Ogden, Pollard, Robertson, Stamps, Stevens, Sypher, Weber, Wharton, White, Whitney, Young—27.

There being no quorum present the Senate took a recess until 12 M.

At 12 M. the following Senators answered to their names:

Present—Messrs. Alexander, Allain, Blunt, Breaux, Burch, Cage, Crozier, Dumont, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Twitchell, Weber, Wharton, Whitney, Young—22.

Absent—Messrs. Anderson, Blackburn, Brewster, Chadbourn, Detiege, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, Sypher, White—14.

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. Cage, the further reading of the journal was dispensed with, and the same corrected and approved, by the following vote, on call of the yeas and nays:

Yeas—Alexander, Allain, Blunt, Breaux, Brewster, Burch, Cage, Crozier, Dumont, Gla, Greene, Harper, Kelso, Landry, Masicot, Pollard, Twitchell, Weber, Wharton, Whitney, Young—21.

Nays—None.

Absent—Anderson, Blackburn, Chadbourn, Detiege, Eustis, George, Grover, Herwig, Kelly, Robertson, Stamps, Steven, Sypher, Ogden, White—15.

REPORTS OF COMMITTEES.

Mr. Wharton submitted the following as chairman of the Committee on Finance:

COMMITTEE ON FINANCE,
New Orleans, February 18, 1875.

To the Honorable President and Members of the Senate:

Your committee have had under consideration Senate bill No. 7, entitled an act to suspend the collection of taxes on overflowed lands for the years 1873 and 1874, and beg leave to report favorably on same.

Also, Senate bill No. 82, entitled an act for the relief of Mrs. Hannah Chilton, widow of the late Professor R. H. Chilton, and would recommend its reference to the Committee on Library for the purpose of ascertaining the value of the donations made as named in said act.

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

On motion of Mr. Wharton that portion relative to Senate bill No. 82 was adopted and referred as recommended.

On motion of Mr. Breaux the Senate bill No. 7 was fixed as special order for Wednesday, February 24.

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

COMMITTEE ON CORPORATIONS,
New Orleans, February 19, 1875.

To the Honorable President and Members of the Senate:

Your committee has the honor to report favorably on House bill No. 21 and Senate bills Nos. 94 and 95.

M. H. TWICHELL, Chairman.

Mr. Breaux, chairman of the Committee on Commerce and Manufactures, submitted the following:

COMMITTEE ON AGRICULTURE, COMMERCE AND MANUFACTURES,
New Orleans, February 19, 1875.

To the Honorable President and Members of the Senate:

Your Committee on Agriculture, Commerce and Manufactures respectfully submit the following report:

Favorably on an act entitled an act to create a board of inspectors and measurers of lumber, timber and staves for the city and port of New Orleans and Carrollton, State of Louisiana, and defining the duties of said board.

Respectfully,
JOHN E. BREAUX,
Chairman.

INTRODUCTION OF BILLS.

By Mr. Wharton:

A bill to be entitled an act to remove the seat of government of the State of Louisiana from the city of New Orleans, and to establish the same at the city of Baton Rouge, in said State, and to provide means for carrying this act into effect.

The bill was read the first time.

The constitutional rule was suspended by a four-fifth vote, and the bill read a second time.

Mr. Wharton moved that the bill be placed on the calendar.

Mr. Cage moved to table the motion to put upon the calendar.

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

Yeas—Alexander, Allain, Cage, Crozier, Detiege, Dumont, Pollard, Stamps, Young—9.

Nays—Blunt, Breaux, Brewster, Burch, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Sypher, Twitchell, Weber, Wharton, Whitney—16.

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

The Senate refused to table.

The question then recurred upon the motion to put upon the calendar.

Adopted.

By Mr. Breaux:

A bill to be entitled an act for the relief of A. Brouchand, parish judge of Pointe Coupee 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 Finance.

On motion of Mr. Breaux, Senate bill No. 86 was taken up, a bill to be entitled an act to create a board of inspectors and measurers of lumber, timber and staves for the city and port of New Orleans and Carrollton, State of Louisiana, and defining the duties of said board.

It was ordered printed and fixed for next Thursday at one o'clock.

Mr. Burch called up the special order of the day, Senate bill No. 8.

On motion of Mr. Young, the special order was postponed one hour.

Mr. Brewster offered the following joint resolutions appropriating for the payment of special sergeants-at-arms appointed under the provisions of resolutions adopted in the respective branches of the General Assembly.

The bill was read the first time.

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

Mr. Burch moved to indefinitely postpone the resolution.

[Mr. Wharton in the chair.]

Mr. Cage moved to table the motion to indefinitely postpone.

Mr. Burch desired to speak on the motion.

The chair declared that debate was out of order.

Mr. Burch made the point of order, that under rule nine he has a right to close the debate.

Mr. Wharton in the chair, ruled that although rule nine allowed the mover to close the debate after the previous question had been demanded, and ordered; yet rule sixteen plainly states that the motion to table must be decided without debate. The motion to table was pending. He therefore ruled that the point of order was not well taken.

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

The Senate voted to table by the following vote:

Yeas—Allain, Blunt, Breaux, Brewster, Cage, Chadbourn, Crozier, Gla, Harper, Kelso, Landry, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney—18.

Nays—Alexander, Burch, Detiege, Dumont, Greene, Herwig, Young—7.

Absent—Anderson, Blackburn, Eustis, George, Grover, Kelly, Masicot, Ogden, Robertson, Steven, White—11.

Mr. Brewster moved the resolution be referred to the Committee on Claims.

Mr. Burch moved the resolution be referred to its appropriate committee.

Mr. Whitney moved that the resolution be considered by the Senate as if in committee of the whole.

Mr. Blunt to moved to table the motion of Mr. Whitney.

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

The Senate voted to table by the following vote:

Yeas—Blunt, Brewster, Cage, Crozier, Dumont, Gla, Greene, Harper, Landry, Pollard, Sypher, Twitchell, Weber, Wharton—14.

Nays—Allain, Alexander, Breaux, Burch, Chadbourn, Detiege, Herwig, Kelso, Masicot, Stamps, Whitney, Young—12.

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

The question then recurred on the motion of Mr. Burch to commit the bill to its appropriate committee.

The bill was ordered to be referred to the Committee on Finance.

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

House bill No. 104, entitled an act making an appropriation of $158,000 out of the general funds in the State treasury, for the payment of per diem of members, officers and employes of the General Assembly, etc.

The previous question was moved.

The main question was ordered.

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

The Senate, under operation of the previous question, voted to suspend the Senate rules by the following vote:

Yeas—Allain, Breaux, Cage, Chadbourn, Crozier, Dumont, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Twitchell, Weber, Wharton, Whitney, Young—19.

Nays—Alexander, Blunt, Burch, Detiege, Sypher—5.

Absent—Anderson, Blackburn, Brewster, Eustis, George, Gla, Grover, Kelly, Ogden, Robertson, Steven, White—12.

The bill was ordered to be taken up and considered section by section.

Mr. Chadbourn called for the special order, Senate bill No. 8, entitled an act to incorporate the Louisiana Telegraph Company; to grant right of way thereto, and to confer certain privileges and franchises.

The bill was taken up and fixed for tomorrow at one o'clock.

Mr. Blunt called up Senate bill No. 83, which was also fixed for next Tuesday at 2 P. M.

The question then recurred on consideration of House bill No. 104, section by section.

Mr. Cage moved to reconsider the vote by which the bill was ordered to be considered section by section.

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

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

Nays—Alexander, Allain, Blunt, Breaux, Brewster, Burch, Detiege, Dumont—8.

Absent—Anderson, Blackburn, Chadbourn, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, Sypher, White, Young—13.

Mr. Cage moved to suspend the constitutional rule.

Mr. Burch made the point of order that the pending motion was the motion to consider the bill section by section, holding that that motion came up properly before the Senate for final disposition.

Mr. Wharton, in the chair, ruled that the point was not well taken; that the bill was before the Senate on its first reading, and that the vote of the Senate had effectually disposed of the motion to consider section by section.

Mr. Cage's motion to suspend the constitutional rule was then adopted by a four-fifths vote.

Mr. Stamps moved to refer the bill to the Committee on Finance.

Mr. Cage moved the bill be considered as if in committee of the whole.

Mr. Burch made the point of order that by rule forty-four the question of reference to standing committees had preference over the motion to refer to select committees.

Mr. Wharton, in the chair, sustained the point of order, and decided the reference to the standing committee was first pending.

Mr. Stamps then withdrew his motion to refer to the Committee on Finance.

The chair declared the pending question was the motion of Mr. Cage to consider the bill as "if in committee of the whole."

[The President in the chair.]

Mr. Cage moved the previous question.

Main question was ordered.

Under operation of the previous question, the motion to consider the bill section by section, as if in committee of the whole, was pending.

The motion was adopted.

The President called Mr. Dumont to be chairman of the committee of the whole.

Subsequently Mr. Allain took the chair.

After due consideration of the bill, as if in committee of the whole, Mr. Whitney moved that the committee rise and report.

Adopted.

Mr. Allain, chairman of the committee of the whole, submitted the following report:

The committee has had under consideration House bill No. 104, an act making an appropriation of $158,000 out of the general funds in the State 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 to the chairman of the Contingent Expenses Committee of the House and to the chairman of the Committee on Auditing and Supervising the Accounts of the Senate on the Treasurer, and making such warrants receivable for State 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.

And report the following amendments and recommend its passage as amended:

Strike out section two and insert the following as a substitute:

SEC. 2. Be it further enacted, etc., That it shall be the duty of the Committee on Auditing and Supervising the Expenses of the Senate and the Committee on Contingent Expenses of the House of Representatives to issue, when demanded, and upon presentation of the proper evidence, a certificate certifying the amount due to each member of their respective houses for his mileage and per diem, and to each of the officers and employes of their respective houses his salary, which certificate thus issued shall be approved on the part of the Senate by its presiding officer, and on the part of the House of Representatives by the Speaker thereof; and the Auditor of Public Accounts shall and is hereby directed and required to issue his warrants for the amount of said certificates on the Treasurer, and the Treasurer is hereby directed to pay the said warrants, and the Committee on Contingent Expenses of the House and the Committee on Auditing and Supervising Accounts of the Senate shall issue no certificate in excess of the amount appropriated by this act, and that no warrants, legislative vouchers, or other evidences of indebtedness issued prior to January 1, 1875, shall be paid out of the appropriation made in this act.

Strike out section three, and insert the following as a substitute:

SEC. 3. Be it further enacted, etc., That the chairman of the Committee on Contingent Expenses of the House and the chairman of the Committee on Auditing and Supervising Accounts of the Senate shall draw a certificate in their own favor, approved by the presiding officers of each house, on the Auditor of Public Accounts, for the amount of the appropriation made in section one of this act for contingent expenses, and the Auditor shall issue his warrants in such sums as the respective chairmen shall indicate, and the chairmen of said committees shall issue a certificate to each contingent creditor, which shall be approved by the presiding officers of Senate and House, and the said chairmen will then pay such certificate out of the contingent funds in their hands; and be it further enacted, that the warrants issued in accordance with section two of this act are hereby made receivable for all licenses due the State during the year 1875, and the several tax collectors throughout the State are hereby directed to receive the same in settlement for licenses, and the State Treasurer shall receive the said warrants as cash in making settlement with tax collectors.

Insert the following as section five:

SEC. 5. Be it further enacted, etc., That at the next session of the General Assembly the Auditor of Public Accounts shall present to the said General Assembly a detailed, itemized account of every warrant issued by him for the mileage, per diem and salary of the officers of the present General Assembly, and the Committee on Auditing and Supervising the Accounts of the Senate, and the Committee on Contingent Expenses of the House, shall, at the next session of the General Assembly, present to their respective houses a detailed, itemized account of each and every voucher issued by them respectively—the number, amount, in whose favor drawn, and the person drawing said voucher—and that said itemized accounts, after said presentation, shall be compared with the books of the Auditor of Public Accounts, and of said committees, and reported back to both branches of the General Assembly.

Also, original "section five" to become "section six."

The Chair declared the point not well taken, in accordance with the rules of the Senate.

Mr. Wharton moved that the report of the committee of the whole, and the bill, be referred to the appropriate standing committee.

Mr. Allain made the point of order that the motion of Mr. Wharton was out of order, as the committee of the whole superceded all other committees.

The previous question was moved, the main question ordered on call of the yeas and nays, by the following vote:

Yeas—Anderson, Allain, Blunt, Brewster, Cage, Crozier, Greene, Harper, Herwig, Kelso, Masicot, Sypher, Twitchell, Wharton, Whitney—15.

Nays—Breaux, Burch, Chadbourn, Gla, Landry, Pollard, Stamps, Weber, Young—9.

Absent—Alexander, Blackburn, Detiege, Dumont, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, White—12.

The motion to refer the bill to its appropriate committee and the report of the committee of the whole was then adopted on call of the yeas and nays by the following vote:

Yeas—Anderson, Allain, Breaux, Brewster, Cage, Crozier, Harper, Herwig, Masicot, Pollard, Sypher, Twitchell, Wharton, Whitney—14.

Nays—Blunt, Burch, Chadbourn, Gla, Greene, Kelso, Landry, Stamps, Weber, Young—10.

Absent—Alexander, Blackburn, Detiege, Dumont, Eustis, George, Grover, Kelly, Ogden, Robertson, Steven, White—12.

The bill and report were then referred to the Committee on Finance.

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, Gla, Greene, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney, Young—25.

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

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

The President, in the chair, then announced that the Senate stood adjourned to meet at twelve o'clock M., Saturday, February 20.

P. E. BECHTEL,
Secretary of the Senate.

HOUSE OF REPRESENTATIVES.

Thirty-eighth Day's Proceedings.

HOUSE OF REPRESENTATIVES,
New Orleans, February 20, 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, Cousin, Connaughton, Drury, Davidson, Dewees, DeLacey, Dickenson, Demas, Floyd, Grant, Gracien, Hill of Ouachita, Hubeau, Honore, Hunsaker, Jourdain, Johnson of Caddo, Johnson of De Soto, Jones of Pointe Coupee, Keating, Lane, Lowell, Mathews of Tensas, Murrell, Milon, Marie, Martinet, Parker, Pierson, Poindexter, Randall, Ridgely, Ray, Rochon, Stewart, Sutton, Southard, Sartain, Snaer, Souer, Tyler, Triplet, Thomas, Wilson, Woods, Yorke—55.

Fifty-five members present and a quorum.

Prayer by the chaplain.

The Speaker announced the following appointments:

As the special committee to notify the Senate that the House had impeached J. E. Trimble, judge of the Eleventh Judicial District Court of the State of Louisiana, for high crimes and misdemeanors in office: Messrs. O. F. Hunsaker, of St. James, chairman; R. R. Ray, of East Feliciana; W. G. Lane, of East Baton Rouge; J. R. Stewart, of Tensas; L. J. Souer, of Avoyelles.

As the special committee to prepare particular charges of high crimes and misdemeanors in office, against J. E. Trimble, judge of the Eleventh Judicial District Court of the State of Louisiana: Messrs. O. F. Hunsaker, of St. James, chairman; R. R. Ray, of East Feliciana; W. G. Lane, of East Baton Rouge; J. R. Stewart, of Tensas; L. J. Souer, of Avoyelles.

And to fill vacancies in the Committee on Lands and Levees: Messrs. J. S. Mathews, of Tensas, and O. F. Hunsaker, of St. James.

The reading of the journal of the eighteeth instant was dispensed with, and it was adopted.

The journal of the nineteenth instant was adopted.

[Mr. Mathew, of Tensas, in the chair.]

MESSAGE FROM THE SENATE.

The following message was received:

SENATE CHAMBER,
New Orleans, February 20, 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 the following bills:

Senate bill No. 35, relative to taking the census in 1875.

Senate bill No. 61, to punish persons for discharging firearms in cities and towns.

Senate bill No. 96, relative to State lands, etc.

Very respectfully,
J. A. GREENE,
Assistant Secretary.

PETITIONS, MEMORIALS AND RESOLUTIONS.

Mr. Murrell, of Madison, offered the following resolution, which lies over under the rules:

WHEREAS, The people of this State are looking to us, as their Representatives, to enact reform measures and correct many abuses to which they are now subjected because of the existence of oppressive laws and the absence of protective enactments; and

Whereas, Our session is drawing to a close, and our time limited; therefore be it

Resolved, That from and after this date the House of Representatives hold evening sessions.

By consent, the Committee on Lands and Levees reported favorably on House bill No. 60, an act prescribing the manner of ascertaining the amount due the Louisiana Levee Company from the State on the first day of October, 1873, and to provide for the funding of said debt.

The report of the committee was received and adopted.

House bill No. 60, reported by the committee, was considered as engrossed.

Mr. Dewees, of Red River, moved for a suspension of the constitutional rules to place the bill on its third reading, on which the yeas and nays were ordered, resulting as follows:

Yeas—Speaker Hahn, Armstead, Butler, Baker, Carville, Crawford, Connaughton, Cousin, Drury, Davidson, Dewees, DeLacey, Dickenson, Demas, Floyd, 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, Randall, Ridgely, Ray, Raby, Richards, Stewart, Sutton, Southard, Snaer, Sartain, Souer, Tyler, Triplet, Thomas, Wilson, Woods, Wright, Yorke—55.

Nays—Martinet, Rochon—2.

Carried.

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

Mr. Dewees, of Red River, moved to reconsider the vote whereby the bill was finally passed, and also moved to lay the motion to reconsider on the table.

Carried.

NOTICES OF BILLS.

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

By Mr. Jones, of Pointe Coupee:

An act to fund the debt of the parish of Pointe Coupee, and to provide for the manner of so doing.

Also, an act incorporating the town of New Roads, in the parish of Pointe Coupee.

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

COMMITTEE ON ENROLLMENT,
New Orleans, February 19, 1875.

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

Your committee beg leave to report as having duly engrossed the following bills:

House bill No. 94, joint resolution instructing our Senators and requesting our Representatives in Congress to secure an appropriation of $50,000 for the cleaning of Bayous Terrebonne, Little Caillou and their tributaries.

House bill No. 45, an act to amend and re enact section one of an act entitled "an act to authorize the police jury of the parish of Caddo to issue bonds."

House bill No. 105, an act to amend and re-enact article 916 of the Civil Code.

Houset bill No. 97, an act to provide a salary for the criminal sheriff of the parish of Orleans, and for the clerk of the First District Court and the clerk of the Superior Criminal Court of said parish, and to authorize said sheriff and clerks to employ deputies at public expense, and providing for the payment thereof, and fixing rate of compensation for feeding prisoners.

House bill No. 77, an act to change the boundary of the parish of St. Bernard.

Also, beg leave to report the following House bill as duly enrolled:

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."

Respectfully submitted.
HENRY DEMAS, Chairman.

The following communication from the Governor was read, and the report referred to was ordered to be printed for the use of the House:

STATE OF LOUISIANA,
Executive Department,
New Orleans, February 18, 1875.

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

I transmit, for the information of the General Assembly, the report of the president of the board of control of the Louisiana State Penitentiary.

WILLIAM P. KELLOGG,
Governor.

The special order of the day was postponed for one hour.

INTRODUCTION OF BILLS.

Under previous notices the following entitled bills were introduced:

By Mr. Stewart, of Tensas:

House bill No. 123, an act to provide for the assessment and collection of taxes in this State and to repeal any and all laws now in force having any reference to the same subject matter.

Read first time.

Under a suspension of the constitutional rules the bill underwent its second reading and was referred to the Committee on Retrenchment and Reform.

By Mr. Drury, of Assumption:

House bill No. 124, an act regulating the manner of making assessments throughout the State; creating a State board of equalization and a parish board of review; defining the duties of said boards and of assessors, collectors and district attorneys and the Auditor and Governor under this act; the compensation of assessors; regulating assessments in and for the city of New Orleans, and prohibiting said city of New Orleans from making assessments hereafter; limiting the application of the doctrine of prescription; repealing a part of section two, act No. 42 of 1871; allowing mortgagees to redeem lands sold for taxes; requiring collectors to distribute surplus; regulating fees and costs of sheriffs and clerks of courts; fixing penalties on delinquent taxes; defining the duties and powers of collectors and sheriffs in making seizures; relating to appeals in tax suits, and repealing acts inconsistent herewith.

Read first time.

Under a suspension of the constitutional rules the bill was read a second time, and referred to the Committee on Ways and Means.

By Mr. Sartain, of Carroll:

House bill No. 125, an act entitled an act for the relief of Wilson Furgeson, of the parish of Carroll, from his State taxes on a certain plantation by the name of the "Back Range," of the said parish of Carroll, for the years 1873 and 1874, on account of overflow of the Mississippi river.

Read first time.

The constitutional rule having been suspended the bill was read a second time and referred to the Committee on Ways and Means.

[The Speaker resumed the chair.]

By Mr. Lane, of East Baton Rouge:

House bill No. 126, an act for the relief of T. J. Buffington, B. Duchein and Philip Machet, of the parish of East Baton Rouge, Louisiana.

Read first time.

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

By Mr. Butler, of Ascension:

House bill No. 127, an act to improve the navigation of Bayou McCall, and to make an appropriation therefor.

Read first time.

Under a suspension of the constitutional rule the bill was again read and referred to the Committee on Internal Improvements.

By Mr. Lane, of East Baton Rouge:

House bill No. 128, an act to exempt property within the limits of the city of Baton Rouge from the payment of parish taxes except for certain purposes, and to provide for the payment of the expenses of criminal prosecutions in certain cases.

Read first time.

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

By Mr. Pierson, of Natchitoches:

House bill No. 129, an act to increase the revenues of the State and to authorize the incorporation and establishment of the New Orleans Lottery Company and for other purposes.

Read first time.

Mr. Pierson, of Natchitoches, moved for a suspension of the constitutional rules so as to place the bill on its second reading.

Mr. Dewees, of Red River, called for the yeas and nays on the adoption of the motion with the following result:

Yeas—Butler, Baker, Carville, Guichard, Gracien, Hubeau, Jourdain, Johnson of Caddo, Keating, Levisee, Milon, Pierson, Raby, Richards, Snaer, Thomas, Wright—17.

Nays—Speaker Hahn, Armstead, Crawford, Connaughton, Cousin, Drury, Davidson, Dewees, DeLacey, Dickenson, Demas, Floyd, Grant, Hill of Ouachita, Honore, Hunsaker, Johnson of De Soto, Jones of Pointe Coupee, Lane, Lowell, Mathews of Tensas, Murrell, Marie, Martinet, Parker, Poindexter, Randall, Ridgely, Ray, Stewart, Sutton, Southard, Sartain, Souer, Tyler, Triplet, Wilson, Woods, Yorke—39.

Lost.

The bill was placed on the calendar.

By Mr. Thomas, of Bossier:

House bill No. 130, an act to incorporate the town of Benton, in the parish of Bossier.

Read first time.

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

By Mr. Floyd, of St. Helena:

House bill No. 131, an act to repeal section ten of act entitled an act to amend "an act to incorporate the town of Greenburg, in the parish of St. Helena, approved fifteenth March, 1869," approved March 9, 1869.

Read first time.

The constitutional rules being suspended, the bill was again read and referred to the Committee on Corporations.

By Mr. Wright, of Terrebonne:

House bill No. 132, an act to transfer the parishes of Lafourche and Terrebonne from the Thirteenth Judicial District of the State, and to make them part of the Second Judicial District, and to regulate the terms of court therein.

Read first time.

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

By Mr. Lowell, of Jefferson:

House bill No. 133, an act to pay Thomas J. Durant, Esq., for professional services rendered the State of Louisiana, and for money advanced.

Read first time.

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

By Mr. Lowell, of Jefferson:

House bill No. 134, an act for the relief of Thomas Lynne, late clerk of the Eighth District Court for the parish of Orleans.

Read first time.

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

By Mr. Souer, of Avoyelles:

House bill No. 135, an act to reorganize the office of the City Attorney and City Surveyor of the city of New Orleans, and defining their duties and providing for the appointment of the respective officers, and to amend and re-enact section thirty-one of the city charter.

Read first time.

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

Mr. Souer, of Avoyelles, moved to suspend the rules to consider House bill No. 44, an act making an appropriation of $22,000 to pay mileage and per diem of the members of the Board of Returning Officers, and the employes and contingent expenses thereof.

Carried.

Mr. Souer, of Avoyelles, moved to suspend the rules by which the bill is compelled to be considered in committee of the whole.

Carried.

Mr. Sartain, of Carroll, moved for a recommittal of the bill for the purpose of having a detailed statement of accounts rendered.

Mr. Demas, of St. John, moved to lay the motion to recommit on the table.

Carried.

Mr. Demas, of St. John, moved to amend by appropriating the sum of $19,000 instead of $22,000.

Carried.

Mr. Souer, of Avoyelles, moved that the bill be considered as engrossed

The yeas and nays were called thereon with the following result:

Yeas—Speaker Hahn, Armstead, Butler, Baker, Carville, Crawford, Connaughton, Cousin, Drury, Dewees, DeLacey, Dickenson, Demas, Floyd, Guichard, Hubeau, Honore, Hunsaker, Johnson of Caddo, Johnson of De Soto, Jones of Pointe Coupee, Keating, Lane, Lowell, Levisee, Mathews of Tensas, Marie, Parker, Raby, Richards, Rochon, Sutton, Southard, Snaer, Souer, Tyler, Triplet, Woods, Wright, Yorke—39.

Nays—Davidson, Grant, Gracien, Hill of Ascension, Hill of Ouachita, Jourdain, Martinet, Murrell, Milon, Randall, Ridgely, Ray, Stewart, Sartain, Thomas, Wilson—16.

Carried.

The bill was calendared for a third reading.

By consent, House bill No. 56, an act to reduce the expenses of public printing, was considered.

The bill 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 ordered to be sent to the Senate for concurrence.

Mr. Demas, of St. John, moved for a reconsideration of the vote whereby the bill was finally passed, and also moved to lay the motion to reconsider on the table.

Carried.

The Committee on Judiciary submitted the following reports:

COMMITTEE ON JUDICIARY,
New Orleans, February 19, 1875.

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

Your Committee on Judiciary respectfully return House bill No. 6, with two reports; majority in favor of the passage of the bill, minority against it.

Also House bill No. 34, by substitute.

Also House bill No. 96, recommending its passage with amendments.

Also House bill No. 99, recommending the passage of the bill.

CHARLES W. LOWELL,
Chairman.

The following is the minority report of the Committee on Judiciary on House bill No. 6:

COMMITTEE ON JUDICIARY,
New Orleans, February 20, 1875.

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

The undersigned, a member of the Committee on Judiciary, to whom was referred House bill No. 6, being an act to repeal an act entitled an act to create the office of assistant Attorney General, etc., respectfully submits, that a large number of an important class of suits, affecting the revenue of the State, are under the charge of the assistant Attorney General, who has given the matter his exclusive attention, and by his services has saved and will continue to save to the State large sums of money. That to abolish his office now will throw his department into confusion, and will transfer to officers who have not given them any attention affairs of great importance to the revenue of the State. It is, therefore, submitted to be inexpedient and unwise to alter or repeal the law in question.

Respectfully, etc.,
E. W. DEWEES,
Of the Committee.

House bill No. 136 (subatitute for House bill No. 34), an act to amend and re-enact section 2855 of the Revised Statutes, regulating the employment of convicts in the State Penitentiary and prescribing a penalty for a violation thereof, was read.

The constitutional rules being suspended, the bill was again read, and made the special order of the day for Tuesday, twenty-third instant, at 1 P. M.

House bill No. 96, an act creating the parish of Sumner, reported favorably with the following amendments, was made the special order of the day for Tuesday, twenty-third instant, at 1 P. M.

Section 1—Strike out all after the word "by" in the sixteenth line, to the word "on" in the twenty-sixth line, and insert the words "the upper or western boundary line of the city of New Orleans."

Section two, before the word "from," insert the words "all that territory," and in the same line strike out the word "corner," and insert the word "lower."

Line twenty-nine, the word "Fullsen's" should be "Frellsen's."

Line thirty-three, the word "levee" should be "lower."

Line thirty-six, after the word "and," at the end of the line, insert the words "the said parish of Sumner shall be divided."

Line thirty-seven, after the word "justice," insert the words "of the peace."

Section four, line fourteen, strike out the words "purchasing or erecting."

Strike out all of section four after the word "provided," in line twenty-two.

Section five, line ten, strike out "first" and insert "second;" also strike out "December," and insert "January."

Line eleven, strike out "April," and insert "September;" also strike out "third," and insert "second."

Line fifteen, after the word "senatorial" insert the word "and," and strike out the words "and Metropolitan Police."

At the end of the section insert "and shall be entitled to two Representatives in the General Assembly of the State."

Section six—Strike out all of lines six, seven, eight, nine and ten, to the word "and," and insert the following: "Where the defendants in such suits shall be resident in said parish of Sumner at the passage of this shall be."

In line twelve, strike out the word "current," and insert the word "like."

Section nine—In line nine, between words "of" and "the" insert the words "commerce of."

In line fourteen, before the word "parish," insert the words "that portion of the," and strike out the word "and" after the word "Jefferson."

Line twenty-three, strike out the word "from" and insert the word "after."

Section nine, in line thirty-seven, after the word city, insert the following: "And said shall be and remain subject to a lien and privilege in the nature of a special mortgage and vendor's lien, concurrently in favor of said parish of Jefferson for one-third of the amount of said appraisement, and said parish of Sumner for one-third of said appraisement until discharged as hereinafter provided."

Line forty-two, fill blank with the word "finance."

Line forty-eight, after word "proceeds," insert "to be devoted to purchase of a site and erection of necessary public buildings at the parish seat."

Strike out all of section nine, after the word "buildings," in line fifty-seven.

Section eleven, line four, after the word "debt," insert "or making any appropriation."

Line thirteen, after the word "less," insert the word "than."

At the end of section eleven add the following: "And provided further, that the police jury of said parish of Sumner shall not issue any warrants for the payment from any parish funds unless the money to pay the same and all other warrants then outstanding shall be in the parish treasury at the time of drawing said warrant, and any violation of this proviso shall subject the offender to the penalties imposed by this section."

Amend the title so as to read "an act to create the parish of Sumner, and to provide for the government of the same; to provide for the transfer of records; to authorize the issuance of bonds to liquidate outstanding indebtedness and contracts; to provide for the sale of public buildings, and to limit the expenditures of the parish."

House bill No. 99, an act for the relief of H. J. Twitchell, etc., was made the special order of the day for Tuesday next, at 1 P. M.

Under a suspension of the rules House bill No. 28, 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, was considered.

Mr. Drury, of Assumption, moved that it be considered as engrossed.

On motion of Mr. Pierson, of Natchitoches, its further consideration was postponed until Wednesday next, twenty-fourth instant.

MESSAGE FROM THE SENATE.

The following message was received:

SENATE CHAMBER,
New Orleans, February 20, 1875.

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

I have the honor to inform you that the Senate concurs in the passage of House bill No. 104 with amendment.

House bill No. 104, entitled an act making an appropriation of $158,000 out of the general funds in the State treasury, for the payment of per diem of members, officers and employes of the General Assembly, etc.,

Respectfully,
P. E. BECHTEL,
Secretary of the Senate.

Under a suspension of the rules, House bill No. 104, the appropriation bill, was considered.

The following Senate amendments were read and concurred in, and notice to that effect was ordered to be sent to the Senate:

Strike out section two and insert the following as a substitute:

SEC. 2. Be it further enacted, etc., That it shall be the duty of the Committee on Auditing and Supervising the Expenses of the Senate and the Committee on Contingent Expenses of the House of Representatives to issue, when demanded, and upon presentation of the proper evidence, a certificate certifying the amount due to each member of their respective houses for his mileage and per diem, and to each of the officers and employes of their respective houses his salary, which certificate thus issued shall be approved on the part of the Senate by its presiding officer, and on the part of the House of Representatives by the Speaker thereof; and the Auditor of Public Accounts shall and is hereby directed and required to issue his warrants for the amount of said certificates on the Treasurer, and the Treasurer is hereby directed to pay the said warrants, and the Committee on Contingent Expenses of the House and the Committee on Auditing and Supervising Accounts of the Senate shall issue no certificate in excess of the amount appropriated by this act, and that no warrants, legislative vouchers or other evidences of indebtedness issued prior to January 1, 1875, shall be paid out of the appropriation made in this act.

Strike out section three and insert the following as a substitute:

SEC. 3. Be it further enacted, etc., That the chairman of the Committee on Contingent Expenses of the House and the chairman of the Committee on Auditing and Supervising Accounts of the Senate shall draw a certificate in their own favor, approved by the presiding officers of each house, on the Auditor of Public Accounts, for the amount of the appropriation made in section one of this act for contingent expenses, and the Auditor shall issue his warrants in such sums as the respective chairmen shall indicate, and the chairmen of said committees shall issue a certificate to each contingent creditor, which shall be approved by the presiding officers of Senate and House, and the said chairmen will then pay such certificate out of the contingent funds in their hands; and be it further enacted, that the warrants issued in accordance with section two of this act are hereby made receivable for all licenses due the State during the year 1875, and the several tax collectors throughout the State are hereby directed to receive the same in settlement for licenses, and the State Treasurer shall receive the said warrants as