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EXTRA SESSION.

SENATE.

Ninth Day's Session.

SENATE CHAMBER, New Orleans, April 23, 1875.

The Senate met in accordance with adjournment, and was called to order by Hon. C. C. Antoine, Lieutenant Governor of the State and President of the Senate.

On call of the roll the Senators were as follows:

Present — Messrs. Allain, Blackburn, Blunt, Breaux, Brewster, Burch, Cage, Chadbourn, Detiege, Eustis, George, Goode, Greene, Harper, Herwig, Kelly, Landry, Masicot, Ogden, Pollard, Robertson, Steven, Sypher, Wharton, Whitney, Young—26.

Absent—Messrs. Alexander, Anderson, Dumont, Gla, Grover, Kelso, Stamps, Twitchell, Weber, White—10.

Prayer by the Rev. Mr. Dardis.

The Secretary commenced to read the journal, and, on motion of Mr. Cage, the further reading was dispensed with.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, New Orleans, April 23, 1875.

To the Honorable President and Members of the Senate:

I am directed by the House of Representatives of the General Assembly of the State of Louisiana to transmit to your honorable body the following acts, and ask your concurrence to the same, viz:

House bill No. 90, entitled an act to repeal an act entitled an act to enforce the payment of taxes due the State, providing for the seizure and sale of the property of delinquent taxpayers, and regulating the proceedings against them and against their property and tenants, approved March 14, 1873.

House bill No. 47, entitled an act relative to the transfer of stocks, and to amend and re-enact section 313 of the Revised Statutes of the State of Louisiana.

House bill No. 55, substitute for House bill No. 2, entitled an act for the relief of the city of New Orleans, and to authorize the Common Council of said city to sell, lease or hypothecate its property, real or personal.

House bill No. 45, entitled an act to facilitate the settlement and payment of delinquent taxes, and to amend the assessments thereof.

House bill No. 63, entitled an act to amend article 145 of the Code of Practice.

House bill No. 61, entitled an act to fix upon and determine a limitation of real estate tax exemption in Louisiana, and to repeal all conflicting laws.

House bill No. 24, entitled an act for the protection of the fire department of the city of New Orleans.

House bill No. 53, entitled an act to renew and extend the charter of the New Orleans Chamber of Commerce.

House bill No. 19, entitled an act for the relief of planters and other landholders whose crops, live stock and other property were destroyed and lands overflowed by the crevasses of the year 1874, and to provide for obtaining exemption from taxation of the same.

House bill No. 69, entitled an act to regulate the park tax provided by act No. 84 of the extra session of 1870, and act No. 83 of 1871, and to provide for the disposition to be made of the proceeds of said tax, and for a reduction of the general fund tax of the city of New Orleans.

House bill No. 58, entitled an act to reduce the taxes of the city of New Orleans levied for Metropolitan Police purposes; to limit the expenses thereof, and to authorize the Metropolitan Police Board to reduce apportionment, salaries and expenses accordingly.

House bill No. 72, entitled an act for the appropriation of the revenues derived by the city of New Orleans from the wharves and levees, and for the reduction of the charges for the use of the wharves and levees.

House bill No. 64, entitled an act regulating the promulgation of the general laws of the State of Louisiana, and of all other acts of the General Assembly.

Joint resolution No. 81, to extend the extra session of the General Assembly.

House bill No. 51, entitled an act to amend and re-enact sections one, two, three, four, five, six, seven, eight, nine, ten, eleven and twelve of act No. 111, approved March 3, 1850, entitled an act to incorporate the town of Homer in the parish of Claiborne, and to repeal all other acts and parts of acts incompatible with the provisions of this act.

House bill No. 41, entitled an act to regulate the rate of parish taxation and assessments; to restrict the issue of obligations and warrants by parishes; to provide an injunction by taxpayers; to repeal act No. 69 of 1869, and sections 2628, 2629 and 2630 of the Revised Statutes of 1870, and to repeal conflicting laws.

PETER J. TREZEVANT,
Chief Clerk.

HOUSE OF REPRESENTATIVES, New Orleans, April 23, 1875.

To the Honorable President and Members of the Senate:

I have the honor to request the concurrence of the Senate in House bills entitled as follows:

No. 92, an act to amend an act entitled an act to annex the city of Carrollton to the city of New Orleans, etc., approved March 23, 1874; to repeal certain parts thereof; to change the boundaries of the parishes of Orleans and Jefferson; to change the limits of the First and Second Judicial Districts.

No. 32, an act to amend an act entitled an act to provide for funding obligations of the State by exchange of bonds; to provide for principal and interest of said bonds; to establish a board of liquidation; to authorize certain judicial proceedings against it; to define and punish violations of this act; to prohibit certain officers diverting funds, except as provided by law, and to punish violations thereof; to levy a continuing tax and provide a continuing appropriation for said bonds; to make contracts between the State and holders of said bonds; to prohibit injunctions in certain cases, etc.

No. 96, preamble and concurrent resolution directing the Governor to institute suits against Charles Clinton, Auditor, and his sureties.

PETER J. TREZEVANT,
Chief Clerk.

Mr. Robertson submitted the following memorial of the joint committees of the Cotton Exchange, the Merchants' Exchange and Chamber of Commerce:

To the Honorable President and Members of the Senate:

The memorial of the joint committees on legislation of the Cotton Exchange, Merchants' Exchange and the Chamber of Commerce respectfully represents, that several bills for the reduction of the expenses and debt of the city of New Orleans have passed the House of Representatives, and have been sent to your honorable body for concurrence. Among those are, as we understand, House bill No. 55, providing for a sale of certain property which is of no profit to the city, but which may be sold in such way as to largely reduce the city debt, and thus diminish the city taxes; House bill No. 58, to reduce the expenses of the Metropolitan Police, and House bill No. 69, to limit the expenses of the City Parks.

The House has also passed House bill No. 63, to amend article 165 of the Code of Practice.

We beg leave to say that these bills are not party measures, nor are they devised in any private interest. They have the approval, practically, of every merchant in New Orleans and of the city administration. It is believed that they are not opposed by any citizen or class of citizens. We pray leave, therefore, to urge the speedy passage of these measures. And with due respect will ever pray, etc.

For the joint committees:
J. H. KENNARD,
Chairman.
W. C. RAYMOND,
Merchants' Exchange.
JOHN CHAFFE,
Chairman Special Committee.
JOHN M. SANDIDGE,
W. W. HOWE,
Of Committee of Chamber of Commerce.

REPORT OF COMMITTEE.

Mr. Ogden submitted the following report as a member of the Committe on Judiciary:

COMMITTEE ON JUDICIARY, New Orleans, April 23, 1875.

To the Honorable President and Members of the Senate:

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

On Senate bill No 35, entitled an act relative to public sales and sales days, made in pursuance to decrees of courts, in the parishes of Assumption, Lafourche and Terrebonne, favorably.

Senate bill No. 59, entitled an act to amend an act entitled "an act relative to attorneys at law, approved March 12, 1855, and section 112 of the Revised Statutes of Louisiana, is reported as substitute for Senate bill No. 32, entitled an act to require better qualifications of persons presenting themselves for examination before the Supreme Court to be admitted to the bar of this State.

Respectfully submitted.
THOMAS C. ANDERSON,
Chairman.

Lies over.

Mr. Brewster, chairman of the Committee on Public Education, submitted the following report:

COMMITTEE ON EDUCATION, New Orleans, April 22, 1875.

To the Honorable President and Members of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 14, entitled an act to limit the amount to be paid by the city of New Orleans for the support of public schools, to reduce the expenses thereof, and to authorize the reduction of taxation in conformity thereto, beg leave to report that the act is entirely too crudely drawn for legislation. It directs an arbitrary reduction of about $100,000 without directing in any way the manner or particulars of such reduction. Neither does it provide any greater certainty of realization of the sum proposed to be given, than heretofore provided for. The tax of one-fourth of one per cent, for 1875, is already levied and in part collected. It would introduce endless confusion to change it now. The public spirited citizen who has paid it would be justly entitled to have his money refunded without the slightest possibility or means of getting it. It is expended and gone to the purposes of education. Another example would have been given of advantage to the slow taxpayer. The amount now levied, if fully collected, is insufficient to a degree that has required a retrenchment by cutting off three months' salary of the teachers. There is no public complaint of their over payment, but the contrary. How much greater would be their distress if another $100,000 be cut off. The effect would be the closing of the public schools for half the year. There is no public demand for retrenchment in that form.

Should this act become a law it would work a great injustice upon the people of New Orleans, and especially upon those who are dependent upon the public schools for the education of their children.

Your committee therefore report unfavorably upon said act, and recommend that it do not pass.

O. H. BREWSTER,
Chairman.
J. HENRI BURCH.
ALLEN GREENE.
WILLIAM HARPER.

Lies over.

COMMITTEE ON ENROLLMENT AND ENGROSSMENT, New Orleans, April 23, 1875.

To the Honorable President and Members of the Senate:

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

Senate bill No. 27, an act to relieve the delinquent taxpayers from the payment of penalties in certain cases.

J. A. MASICOT, Chairman.

Two Senators called for executive session.

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

Present—Messrs. Alexander, Breaux, Brewster, Burch, Chadbourn, George, Grover, Goode, Kelly, Landry, Masicot, Ogden, Pollard, Robertson, Stamps, Steven, Sypher, Wharton, White—19.

Absent—Messrs. Allain, Anderson, Blackburn, Blunt, Cage, Detiege, Dumont, Eustis, Gla, Greene, Harper, Herwig, Kelso, Twitchell, Weber, Whitney, Young—17.

REPORT OF SELECT COMMITTEE.

Mr. Robertson, chairman of the select committee to report a series of rules for the use of the Senate while sitting as a High Court of Impeachment, submitted the following report:

To the Honorable President and Members of the Senate:

Your select committee, appointed to consider and report rules for the Senate sitting as a High Court of Impeachment for the trial of Charles Clinton, Auditor of Public Accounts of the State of Louisiana, have the honor to report that they have discharged that duty, and that they submit the following resolution and rules:

Resolved, That the accompaning rules of procedure and practice be adopted by the Senate when sitting for the trial of an impeachment.

All of which is respectfully submitted by the committee.

W. A. ROBERTSON,
Chairman;
J. HENRI BURCH,
J. B. EUSTIS,
THOMAS C. ANDERSON,
JACQUES A. GLA.

RULE I.

Whensoever the Senate of the State of Louisiana shall receive notice from the House of Representatives that managers are appointed on their part to conduct an impeachment of any person, and are directed to carry articles of impeachment to the Senate, the Secretary of the Senate shall immediately inform the House of Representatives that the Senate is ready to receive the managers for the purpose of exhibiting such articles of impeachment, agreeably to said notice.

RULE II.

When the managers of an impeachment shall be introduced at the bar of the Senate, and shall signify that they are ready to exhibit articles of impeachment against any person, the presiding officer of the Senate shall direct the Sergeant-at-Arms to make proclamation, who shall, after making proclamation, repeat the following words, viz: "All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of the State of Louisiana articles of impeachment against ——;" After which the articles shall be exhibited, and then the presiding officer of the Senate shall inform the managers that the Senate will take proper order on the subject of the impeachment, of which due notice shall be given to the House of Representatives.

RULE III.

Upon such articles being presented to the Senate, the Senate shall, at one o'clock, afternoon of the day (Sunday excepted) following such presentation, or sooner, if so ordered by the Senate, proceed to the consideration of such articles, and shall continue in session from day to day (Sundays excepted) after the trial shall commence (unless otherwise ordered by the Senate) until final judgment shall be rendered, and so much longer as may, in its judgment, be needful. Before proceeding to the consideration of the articles of impeachment the presiding officer shall administer the oath hereinafter provided to the members of the Senate then present, and to the other members of the Senate as they shall appear, whose duty it shall be to take the same.

RULE IV.

When the Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, State Treasurer, Superintendent of Public Education, and judges of the inferior courts, justices of the peace excepted, shall be impeached, the Chief Justice of the Supreme Court of the State of Louisiana, or the senior Associate Justice thereof, shall preside; and in a case requiring the said Chief Justice or senior Associate Justice to preside, notice shall be given to him by the presiding officer of the Senate of the time and place fixed for the consideration of the articles of impeachment, as aforesaid, with a request to attend; and the said Chief Justice or senior Associate Justice shall preside over the Senate during the consideration of said articles, and upon the trial of the person impeached therein.

RULE V.

The presiding officer shall have power to make and issue, by himself or by the Secretary of the Senate, all orders, mandates, writs and precepts authorized by these rules, or by the Senate, and to make and enforce such other regulations and orders in the premises as the Senate may authorize or provide.

RULE VI.

The Senate shall have power to compel the attendance of witnesses, to enforce obedience to its orders, mandates, writs, precepts and judgments, to preserve order, and to punish in a summary way contempt of and disobedience to its authority, orders, mandates, writs, precepts or judgments, and to make all lawful orders, rules and regulations which it may deem essential or conducive to the ends of justice. And the Sergeant-at-Arms, under the direction of the Senate, may employ such aid and assistance as may be necessary to enforce, execute and carry into effect the lawful orders, mandates, writs and precepts of the Senate.

RULE VII.

The presiding officer of the Senate shall direct all necessary preparations in the Senate Chamber, and the presiding officer on the trial shall direct all forms of proceeding while the Senate is sitting for the purpose of trying an impeachment, and all forms during the trial not otherwise specially provided for. And the presiding officer on the trial may rule all questions of evidence and incidental questions, which ruling shall stand as the judgment of the Senate, unless some member of the Senate shall ask that a formal vote be taken thereon, in which case it shall be submitted to the Senate for decision, or he may, at his option, in the first instance, submit any such question to a vote of the members of the Senate. Upon all such questions the vote shall be without a division, unless the yeas and nays be demanded by one-fifth of the members present, when the same shall be taken.

RULE VIII.

Upon the presentation of articles of impeachment and the organization of the Senate, as hereinbefore provided, a writ of sumous shall issue to the accused, reciting said articles, and notifying him to appear before the Senate upon a day and at a place to be fixed by the Senate, and named in such writ, and file his answer to said articles of impeachment, and to stand to and abide the orders and judgments of the Senate thereon; which writs shall be served by such officer or person as shall be named in the precept thereof, such number of days prior to the day fixed for such appearance as shall be named in such precept, either by the delivery of an attested copy thereof to the person accused, or, if that can not conveniently be done, by leaving such copy at the last known place of abode of such person, or at his usual place of business, in some conspicuous place therein, or if such service shall be, in the judgment of the Senate, impracticable, notice to the accused to appear shall be given in such other manner, by publication or otherwise, as shall be deemed just, and if the writ aforesaid shall fail of service in the manner aforesaid, the proceedings shall not thereby abate, but further service may be made in such manner as the Senate shall direct. If the accused, after service, shall fail to appear, either in person or by attorney, on the day so fixed therefor as aforesaid, or appearing, shall fail to file his answer to such articles of impeachment, the trial shall proceed, nevertheless, as upon a plea of not guilty. If a plea of guilty shall be entered, judgment may be entered thereon without further proceedings.

RULE IX.

At one o'clock (afternoon) of the day appointed for the return of the summons against the person impeached, the legislative and executive business of the Senate shall be suspended, and the Secretary of the Senate shall administer an oath to the returning officer in the form following, viz:

"I, ——, Sergeant-at-Arms of the Senate, do solemnly swear that the return made by me upon the process issued on the —— day of —— by the Senate of the State of Louisiana against —— is truly made, and that I have performed such service as therein described. So help me God."

Which oath shall be entered at large on the records.

RULE X.

The person impeached shall then be called to appear and answer the articles of impeachment against him. If he appear, or any person for him, the appearance shall be recorded, stating particularly if by himself or by agent or attorney, naming the person appearing and the capacity in which he appears. If he do not appear, either personally or by agent or attorney, the same shall be recorded.

RULE XI.

At one o'clock afternoon of the day appointed for the trial of an impeachment the legislative and executive business of the Senate shall be suspended, and the Secretary shall give notice to the House of Representatives that the Senate is ready to proceed upon the impeachment of ——, in the Senate Chamber, which Chamber is prepared with accommodations for the reception of the House of Representatives.

RULE XII.

The hour of the day at which the Senate shall sit upon the trial of an impeachment shall be, unless otherwise ordered, 1 P. M.; and when the hour for such sitting shall arrive, the presiding officer of the Senate shall so announce; and thereupon the presiding officer upon such trial shall cause proclamation to be made, and the business of the trial shall proceed. The adjournment of the Senate, sitting in said trial, shall not operate as an adjournment of the Senate; but on such adjournment the Senate shall resume the consideration of its legislative and executive business.

RULE XIII.

The Secretary of the Senate shall record the proceedings, in cases of impeachment, as in case of legislative proceedings, and the same shall be reported in the same manner as the legislative proceedings of the Senate.

RULE XIV.

Counsel for the parties shall be admitted to appear and be heard upon an impeachment.

RULE XV.

All motions made by the parties or their counsel shall be addressed to the presiding officer, and if he or any Senator shall require it, they shall be committed to writing, and read at the Secretary's table.

RULE XVI.

Witnesses shall be examined by one person on behalf of the party producing them, and then cross examined by one person on the other side.

RULE XVII.

If a Senator is called as a witness, he shall be sworn, and give his testimony, standing in his place.

RULE XVIII.

If a Senator wishes a question to be put to a witness, or to offer a motion or order (except a motion to adjourn), it shall be reduced to writing, and put by the presiding officer.

RULE XIX.

At all times, while the Senate is sitting upon the trial of an impeachment, the doors of the Senate shall be kept open, unless the Senate shall direct the doors to be closed while deliberating upon its decision.

RULE XX.

All preliminary or interlocutory questions and all motions shall be arged for not exceeding one hour on each side, unless the Senate shall, by order, extend the time.

RULE XXI.

The case on each side shall be opened by one person. The final argument on the merits may be made by two persons on each side (unless otherwise ordered by the Senate, upon application for that purpose), and the argument shall be opened and closed on the part of the House of Representatives.

RULE XXII.

On the final question, whether the impeachment be sustained, the yeas and nays shall be taken on each article of impeachment separately; and if the impeachment shall not, upon any of the articles presented, be sustained by the vote of two-thirds of the members present, a judgment of acquittal shall be entered; but if the person accused in such articles of impeachment shall be convicted upon any of said articles, by the votes of two thirds of the members present, the Senate shall proceed to pronounce judgment, and a certified copy of such judgment shall be deposited in the office of the Secretary of State.

RULE XXIII.

All the orders and decisions shall be made and had by yeas and nays, which shall be entered on the record, and without debate, except when the doors shall be closed for deliberation, and in that case no member shall speak more than once on one question, and for not more than ten minutes on any interlocutory question, and for not more than fifteen minutes on the final question, unless by consent of the Senate, to be had without debate; but a motion to adjourn may be decided without the yeas and nays, unless they be dhmanded by one-fifth of the members present.

RULE XXIV.

Witnesses shall be sworn in the following form, viz:

"You, ——, do swear [or affirm, as the case may be,] that the evidence you shall give in the case now pending, between the State of Louisiana and —— shall be the truth, the whole truth and nothing but the truth. So help you God."

Which oath shall be administered by the Secretary or any other duly authorized person.

Form of subpena to be issued on the application of the managers of the impeachment, or of the party impeached, or of his counsel:

"To ——, greeting:

"You, and each of you, are hereby commanded to appear before the Senate of the State of Louisiana, on the —— day of ——, at the Senate Chamber, in the city of New Orleans, then and there to testify your knowledge in the cause which is before the Senate, in which the House of Representatives have impeached ——. Fail not.

"Witness ——, and presiding officer of the Senate, at the city of New Orleans, this —— day of ——, in the year of our Lord ——, and of the independence of the United States the ——.

"——.

"Secretary of the Senate."

Form of oath to be administered to the members of the Senate sitting in the trial of impeachment:

"I solemnly swear [or affirm, as the case may be] that in all things appertaining to the trial of the impeachment of ——, now pending, I will do impartial justice, according to the constitution and laws. So help me God."

Form of summons to be issued and served upon the person impeached:

"The State of Louisiana, s.s.: The Senate of the State of Louisiana, to ——, greeting:

"Whereas, The House of Representatives of the State of Louisiana did, on the —— day of ——, exhibit to the Senate articles of impeachment against you, the ——, in the words following: [Here insert the articles.] And demand that you, the said ——, should be put to answer the accusations as set forth in said articles, and that such proceedings, examinations, trials and judgments might be thereupon had as are agreeable to law and justice.

"You, the said ——, are thefore hereby summoned to be and appear before the Senate of the State of Louisiana, at their chamber, in the city of New Orleans, on the —— day of ——, 18—, at one o'clock in the afternoon, then and there to abide by, obey and perform such orders, directions and judgments as the Senate of the State of Louisiana shall make in the premises, according to the constitution and laws of the State of Louisiana.

"Hereof you are not to fail.

"Witness, ——, and presiding officer of the said Senate, at the city of New Orleans, this —— day of ——, in the year of our Lord ——, and of the independence of the United States the ——."

Form of precept to be indorsed on said writ of summons:

"The State of Louisiana, s.s.: The Senate of the Stateof Louisiana to ——, greeting:

"You are hereby commanded to deliver to and leave with ——, if conveniently to be found, or if not to leave at his usual place of abode, or at his usual place of business, in some conspicuous place, a true and attested copy of the within writ of summons, together with a like copy of this precept, and whichsoever way you perform the service, let it be done at least one day before the appearance day mentioned in said writ of summons.

"Fail not, and make return of this writ of summons and precept, with your proceedings thereon indorsed, on or before the appearance day mentioned in the said writ of summons.

"Witness ——, and presiding officer of the Senate, at the city of New Orleans, this —— day of ——, in the year of our Lord ——, and of the independence of the United States the ——."

All process shall be served by the Sergeant-at-Arms of the Senate, unless otherwise ordered by the court.

RULE XXV.

If the Senate shall at any time fail to sit for the consideration of articles of impeachment, on the day or hour fixed therefor, the Senate may, by an order to be adopted without debate, fix a day and hour for resuming such consideration.

Mr. Burch made the point of order that this being the last day of the session, the bills to be considered should be within the scope of the Governor's proclamation.

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

INTRODUCTION OF BILLS.

Mr. Brewster, by unanimous consent, introduced Senate bill No. 60, to be entitled an act to create a body corporate and politic by the name of the New Orleans Chamber of Commerce.

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 considered as engrossed.

The constitutional rule was suspended by a four-fifths vote, the bill was read the third time, and finally passed, its title adopted, and to stand as stated.

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

COMMITTEE ON FINANCE, New Orleans, April 21, 1875.

To the Honorable President and Members of the Senate:

Your Committee on Finance, having had under consideration Senate bill No. 40, an act to repeal section 1930 of the Revised Statutes of Louisiana, etc., beg leave to report favorably thereon and recommend its passage, with the following amendments, viz: Insert in title before the word "State" the words "general funds." Add to section first the words "provided said warrants be only receivable for general fund taxes and State licenses."

Respectfully submitted.
W. W. WHARTON,
Chairman.

Lies over.

COMMITTEE ON FINANCE, New Orleans, April 22, 1875.

To the Honorable President and Members of the Senate:

Your Committee on Finance having had under consideration Senate bill No. 37, "an act supplemental to act No. 3, approved January 24, 1874," etc., respectfully report favorably thereon and recommend its immediate passage.

Respectfully.
W. W. WHARTON,
Chairman.

On motion of Mr. Wharton the report on Senate bill No. 37, "an act supplemental to act No. 3, approved January 24, 1874," etc., was taken up.

The bill was ordered to be considered section by section.

The first section was read and adopted.

The second section was read.

On motion of Mr. Whitney the words in lines 99, 100 and 101, to wit: "Or the attorneys employed for the State heretofore by him," were stricken out, and the following words inserted: "Assistant Attorney General."

The section as amended was then adopted.

Section three was then read and adopted.

Section four was then read.

Mr. Brewster moved to strike out the section from the bill.

Mr. Robertson moved to table the motion to strike out.

Two Senators called for the yeas and nays.

The Senate refused to table the motion by the following vote:

Yeas — Alexander, Blackburn, Eustis, George, Goode, Greene, Grover, Kelly, Ogden, Robertson, Steven, Twitchell, Wharton, White, Whitney—15.

Nays—Anderson, Allain, Blunt, Breaux, Brewster, Burch, Cage, Chadbourn, Detiege, Gla, Harper, Herwig, Kelso, Pollard, Stamps, Weber, Young—17.

Absent and not voting—Dumont, Landry, Masicot, Sypher—4.

The question recurred upon the motion to strike out.

Mr. Blunt moved the previous question on the motion. Seconded.

The main question was ordered.

Two Senators called for the yeas and nays.

Under operation of the previous question the Senate voted to strike out by the following vote:

Yeas—Anderson, Allain, Blackburn, Blunt, Breaux, Brewster, Burch, Cage, Chadbourn, Detiege, Dumont, Gla, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Twitchell, Weber, Whitney, Young—23.

Nays—Alexander, Eustis, George, Goode, Grover, Kelly, Ogden, Robertson, Steven, Wharton, White—11.

Absent—Greene, Sypher—2.

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

The motion to table was adopted.

On motion of Mr. Burch, section five of the bill was ordered to be stricken out.

Mr. Robertson submitted the following, to be inserted as section four:

Be it enacted, etc., That the State Treasurer shall file, on the first Monday of each month, a detailed statement of his bank account, certified to by the officers of the bank or banks wherein he deposits the funds of the State, with the said Board of Liquidation.

On motion of Mr. Burch the proposed additional section was ordered to lie on the table.

Section six was then adopted as section four of the bill, to wit:

SEC. 4. Be it further enacted, etc., That all laws or parts of laws contrary to or inconsistent with the provisions of this act are hereby repealed, and that this act take effect from and after its passage.

On motion of Mr. Wharton the bill was adopted as amended as a whole.

The bill was considered engrossed.

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

The title was amended by striking out all except the following:

An act supplemental to act No. 3, approved January 24, 1874, and to provide for testing, at the instance of any taxpayer, in the courts of the State, the legality and validity of any items of State indebtedness, the legality and validity of which may have been or may hereafter be questioned; to prohibit the Board of Liquidation under said act No. 3 of 1874 from funding the questionable and doubtful obligations of the State named or designated in this act, until the same shall have been finally declared legal and valid by the Supreme Court of the State of Louisiana, and to provide the necessary means for carrying the provisions of this act into effect; to provide additional members of the said Board of Liquidation, and to repeal conflicting laws.

Mr. Dumont, by unanimous consent, called up Senate bill No. 25, a bill to be entitled an act to encourage the manufacture of cotton and woolen goods and of cotton or woolen yarns in the State of Lonisiana, and to commute State, parish and municipal taxation for a term of years, upon all capital employed in said manufacture, and all lands, buildings, machinery, property, franchises and appurtenances actually used therefor or therewith and necessary thereto, by any individual or individuals or incorporated company.

The bill was taken up on second reading.

Mr. Dumont moved that the bill be ordered to be engrossed for a third reading.

Mr. Greene moved to amend after the word "goods" add the words "and leather and leather goods."

On motion of Mr. Detiege the amendment was tabled.

Mr. Blunt moved the previous question.

The main question was ordered.

The bill was considered engrossed.

The constitutional rule was suspended by a four-fifths vote, the bill was read the third time and finally passed, title ordered to stand.

Mr. Robertson called up House bill No. 55 as a bill within the scope of the subject matter in the Governor's proclamation.

The bill was taken up:

House bill No. 55, substitute for House bill No. 2, entitled an act for the relief of the city of New Orleans, and to authorize the Common Council of said city to sell, lease or hypothecate its property, real or personal.

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, with instructions to report to-morrow at 10 A. M., and fixed for to-morrow immediately after the reading of the journal.

Mr. Robertson called up House bill No. 14, an act to reduce the expenses of public printing by restricting the publication of the statutes of the State and the official journals of the General Assembly to the official journal of the State published at the seat of government.

The bill was read the first time.

Mr. Robertson moved to suspend the constitutional rule.

Two Senators called for the yeas and nays.

The Senate voted as follows:

Yeas — Alexander, Anderson, Allain, Brewster, Burch, Chadbourn, Detiege, Eustis, George, Gla, Goode, Greene, Grover, Herwig, Kelly, Kelso, Masicot, Ogden, Pollard, Robertson, Steven, Weber, Wharton, White, Whitney—25.

Nays—Blackburn, Blunt, Harper, Stamps, Twitchell, Young—6.

Absent and not voting—Breaux, Cage, Dumont, Landry, Sypher—5.

Four-fifths of the members having voted to suspend the constitutional rule, the bill was read the second time.

Mr. Weber submitted the following amendment:

And the Attorney General is hereby instructed to take the necessary steps to have the injunction raised on the $35,000 item, in the general appropriation bill, appropriated to pay the country parish papers for printing done in 1873 and 1874; and this act shall only take effect when this provision of the bill is enforced.

On motion, the same was ordered to lie on the table.

Mr. Young moved to recommit the bill.

Mr. Greene moved to table the motion to recommit.

Two Senators called for executive session.

Executive session having been raised, the Senators were as follows:

Present—Messrs. Allain, Blunt, Blackburn, Breaux, Brewster, Burch, Cage, Chadbourn, Dumont, Eustis, George, Gla, Grover, Goode, Harper, Herwig, Kelly, Landry, Masicot, Ogden, Pollard, Robertson, Stamps, Steven, Sypher, Twitchell, Weber, White, Whitney, Young—30.

Absent — Messrs. Alexander, Anderson, Detiege, Greene, Kelso, Wharton—6.

Mr. Cage, in the chair, declared that there was a quorum present, and that the pending question was to table the motion to recommit the bill.

Two Senators called for the yeas and nays.

Pending the calling of the roll Mr. Chadbourn objected to Mr. Young's voting, claiming that Mr. Young could not vote on the grounds of an interest in the success of the measure.

Excused from voting.

The Senate voted to table by the following vote:

Yeas—Alexander, Anderson, Allain, Breaux, Brewster, Burch, Cage, Chadbourn, Detiege, Dumont, Eustis, George, Goode, Gla, Greene, Grover, Herwig, Kelly, Masicot, Ogden, Pollard, Robertson, Stamps, Steven, Twitchell, White, Whitney—27.

Nays—Blackburn, Blunt, Harper, Sypher, Weber—5.

Absent—Kelso, Landry, Wharton—3.

Mr. Young was excused.

Mr. Burch moved to postpone the further consideration of the bill till to-morrow at 11 A. M.

Mr. Greene moved to table the motion to postpone.

Mr. Young moved to take a recess until 7:30 P. M.

On call of the yeas and nays the Senate voted to take a recess by the following vote:

Yeas—Blackburn, Blunt, Breaux, Eustis, George, Gla, Goode, Grover, Harper, Herwig, Kelly, Ogden, Pollard, Robertson, Steven, Twitchell, Weber, White, Young—19.

Nays — Alexander, Anderson, Allain, Brewster, Burch, Cage, Chadbourn, Greene, Masicot, Stamps, Sypher, Whitney—12.

Absent and not voting—Detiege, Dumont, Kelso, Landry, Wharton—5.

Mr. Cage, in the chair, declared that the Senate had voted to take a recess until 7:30 P. M.

Evening Session—First Recess.

At the hour to which the Senate had taken a recess, 7:30 P. M., in the absence of the Lieutenant Governor, and the chosen President to act in the absence of the Lieutenant Governor, the Secretary of the Senate called the Senate to order, and called Senator Burch to the chair.

On call of the roll the Senators were as follows:

Present — Messrs. Alexander, Allain, Blunt, Burch, Cage, Chadbourn, Detiege, Eustis, Gla, Greene, Goode, Grover, Herwig, Harper, Kelso, Landry, Pollard, Robertson, Stamps, Twitchell, Wharton, Whitney, White—23.

Absent — Messrs. Anderson, Blackburn, Breaux, Brewster, Dumont, George, Kelly, Masicot, Ogden, Steven, Sypher, Weber, Young—13.

Unfinished business was taken up.

House bill No. 14, entitled an act to reduce the expenses of public printing by restricting the publication of the statutes of the State and the official journals of the General Assembly to the official journal of the State published at the seat of government.

The Chair declared the pending question at the time of taking a recess to be on Mr. Greene's motion to table Mr. Burch's motion to postpone.

Mr. Greene withdrew his motion to table the motion of Mr. Burch.

Mr. Burch withdrew his motion to postpone.

On motion to suspend the constitutional rule for third reading, the Senate voted to suspend the constitutional rule by a four-fifths vote:

Yeas—Alexander, Allain, Burch, Cage, Chadbourn, Detiege, Eustis, Gla, Greene, Grover Goode, Herwig, Kelso, Landry, Ogden, Pollard, Robertson, Stamps, Sypher, Twitchell, Wharton, White, Whitney—23.

Nays—Blackburn, Blunt, Harper, Weber—4.

Absent and not voting — Anderson, Breaux, Brewster, Dumont, George, Kelly, Masicot, Steven, Young—9.

The bill was read a third time and finally passed.

The title was ordered to stand.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, New Orleans, April 23, 1875.

To the Honorable President and Members of the Senate:

I am directed by the House of Representatives of the State of Louisiana to inform your honorable body that Senate bill No. 27 has passed the House of Representatives.

PETER J. TREZEVANT,
Chief Clerk.

HOUSE OF REPRESENTATIVES, New Orleans, April 23, 1875.

To the Honorable President and Members of the Senate:

I am directed to transmit to your honorable body the following House bills and ask your concurrence in the same:

House bill No. 11, to encourage the manufacture of cotton and woolen goods in the State.

House bill No. 101, an act to amend section fifty-one, Revised Statutes of Louisiana.

House bill No. 91, to incorporate the town of Vienna, in Lincoln parish.

PETER J. TREZEVANT,
Chief Clerk.

HOUSE OF REPRESENTATIVES, New Orleans, April 23, 1875.

To the Honorable President and Members of the Senate:

I am directed by the House of Representatives to transmit to your honorable body and ask concurrence in the following bills:

House bill No. 59, to limit the amount to be paid by the city of New Orleans for public schools.

House bill No. 79, relative to the sanitary inspection of the city of New Orleans.

House bill No. 93, authorizing the funding the debt of Cameron parish.

PETER J. TREVEZANT,
Chief Clerk.

HOUSE OF REPRESENTATIVES, New Orleans, April 23, 1875.

To the Honorable President and Members of the Senate:

I am directed by the House of Representatives to ask your concurrence in the House bill No. 100, making an appropriation to pay the expenses of the extra session of the General Assembly convened April 14, 1875.

PETER J. TREZEVANT,
Chief Clerk.

HOUSE OF REPRESENTATIVES, New Orleans, April 23, 1875.

To the Honorable President and Members of the Senate:

I am directed by the House of Representatives of the State of Louisiana to transmit to your honorable body, and ask your concurrence in the same, the following bills, viz:

House bill No. 68, to relieve taxpayers, and to reduce the outstanding indebtedness of the State.

House bill No. 103, regarding the fees of the Auditor's office of the State.

Also, informing your honorable body that the House has concurred in Senate bill No. 10 of the regular session of the General Assembly of 1875.

PETER J. TREZEVANT,
Chief Clerk.

REPORTS OF COMMITTEES.

COMMITTEE ON ENROLLMENT AND ENGROSSMENT, New Orleans, April 23, 1875.

To the Honorable President and Members of the Senate:

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

Senate bill No. 26, an act to amend act No. 73 of 1872, entitled an act to authorize the Council of the city of New Orleans to levy a police tax; to regulate levies of taxes, the proceedings of tax suits and the jurisdiction of the district courts of the parish Orleans in reference thereto; to define and punish forgery in certain cases; to authorize the funding of the floating debt, etc.

Senate bill No. 37, an act supplemental to act No. 3, approved January 24, 1874, and to provide for testing at the instance of any taxpayer, in the courts of this State, the legality and validity of any items of State indebtedness, the legality and validity of which may have been or may hereafter be questioned; to prohibit the Board of Liquidation under said act No. 3 of 1874, from funding the questionable obligations of the State named or designated in this act until the same shall have been finally declared legal and valid by the Supreme Court of Louisiana, and to provide the necessary means for carrying the provisions of this act into effect; to provide additional members of the said Board of Liquidation and to repeal conflicting laws.

J. A. MASICOT,
Chairman.

COMMITTEE ON ENROLLMENT AND ENGROSSMENT, New Orleans, April 24, 1875.

To the Honorable President and Members of the Senate:

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

House bill No. 22, an act to incorporate the Board of Trade of New Orleans; conferring certain privileges and authorities upon said corporation; providing for and regulating the inspection, weighing and gauging of flour, grain, hay, provisions, groceries, liquors and other articles of trade, etc.

J. A. MASICOT,
Chairman.

On motion of Mr. Twitchell, House bill No. 178, a joint resolution changing the venue in the case of the State against Alex Newton, now pending in the Superior Criminal Court for the parish of Orleans, for the crime of murder, to the Fourth District Court for the parish of St. John the Baptist, and directing the performance by certain officers of certain acts in consequence of said change of venue, was read the third time in regular order.

The bill was finally passed and title ordered to stand as stated.

Mr. Weber called up the report on Senate bill No. 22, of the Committee on Agriculture, Commerce and Manufactures, an act to incorporate the Board of Trade of New Orleans, conferring certain privileges and authorities upon said corporation, providing for the appointment of inspectors, weighers and gaugers of flour, grain, hay, provisions, groceries, liquors and other articles of trade (commonly dealt in by the members of said corporation), and providing their duties and powers; to repeal sections 1848 to 1858 inclusive of the Revised Statutes of 1870, providing for and regulating the inspection, weighing and gauging of flour, grain, hay, provisions, groceries, liquors and other articles of trade; authorizing said corporation to fix the grades and standards of the articles to be inspected, weighed or gauged; authorizing said corporation to establish committees of reference and arbitration, and for other purposes, and repealing all laws or parts of laws in conflict with the provisions of this act.

Mr. Cage moved to adopt the report.

Mr. Chadburn moved to table the motion to adopt the report.

On call of the yeas and nays the Senate voted to table the motion by the following vote:

Yeas — Alexander, Anderson, Allain, Blunt, Burch, Cage, Chadbourn, Detiege, Gla, Greene, Harper, Kelso, Landry, Masicot, Pollard, Stamps, Twitchell, Whitney—18.

Nays—Blackburn, Breaux, Brewster, Eustis, Goode, Grover, Herwig, Kelly, Ogden, Steven, Sypher, Weber, Wharton, White, Young—15.

Absent and not voting—Dumont, George, Robertson—3.

Mr. Chadbourn sent to the Secretary's desk a bill which he desired to introduce as a substitute for pending bill.

An act to incorporate the Board of Trade of New Orleans, conferring certain privileges and authorities upon said corporation; providing for regulating the inspection, weighing and guaging of flour, grain, hay, provisions, groceries, liquors and other articles of trade; authorizing said corporation to fix the grades and standards of the articles to be inspected, weighed or gauged; authorizing said corporation to establish committees of reference and arbitration, and for other purposes, and repealing all laws or parts of laws in conflict with the provisions of this act.

Which was read in part.

Mr. Chadbourn moved to suspend the further reading of the bill.

The Senate refused to suspend the reading.

The President ordered the original bill to be read first, that the two might be compared.

The original bill was read in part.

Mr. Cage moved to suspend the further reading of the original bill.

Two Senators called for the yeas and nays on the motion to suspend reading:

Yeas — Anderson, Allain, Blackburn, Burch, Cage, Chadbourn, Detiege, Dumont, Gla, Goode, Greene, Harper, Landry, Masicot, Pollard, Robertson, Stamps, Steven, Sypher, Whitney—20.

Nays—Alexander, Blunt, Breaux, Brewster, Eustis, Grover, Herwig, Kelly, Kelso, Ogden, Twitchell, Weber, Wharton, White, Young—15.

Absent and not voting—George—1.

The Senate voted to suspend the reading of the bill.

Mr. Burch moved that the original bill be taken up and read section by section.

Mr. Chadbourn moved that the substitute offered by him be taken up and read section by section, instead of the original bill.

The previous question was moved.

The main question was ordered.

Two Senators called for the yeas and nays.

The Senate voted to take up the substitute section by section, by the following vote:

Yeas—Anderson, Allain, Blackburn, Blunt, Burch, Cage, Chadbourn, Detiege, Dumont, Gla, Harper, Herwig, Kelso, Landry, Pollard, Robertson, Stamps, Twitchell, Weber, Whitney—20.

Nays—Alexander, Breaux, Brewster, Eustis, Greene, Goode, Grover, Kelly, Masicot, Ogden, Steven, Sypher, Wharton, White, Young—15.

Absent and not voting—George—1.

The first section was read.

Mr. White submitted the following, which was adopted.

At the end of section one add: "Until the General Assembly may otherwise provide; provided this act shall operate a contract for two years from the promulgation hereof."

The section was then adopted as amended.

The second section was then read and adopted.

The third section was then read and adopted.

The fourth section was read.

Mr. Whitney offered the following:

Provided, that the regulations or de-