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OF THE
STATE OF LOUISIANA.

SENATE.

Twenty-seventh Day's Session.

SENATE CHAMBER, New Orleans, February 5, 1876.

The Senate met pursuant to adjournment at twelve o'clock M., the Hon. C. C. Antoine, Lieutenant Governor and President of the Senate, in the chair.

On a call of the roll, the following Senators answered to their names:

Present — Messrs. Alexander, Allain, Blackburn, Blunt, Brewster, Burch, Chadbourn, George, Greene, Grover, Harper, Kelly, Masicot, Ogden, Robertson, Stamps, Steven, Sypher, Twitchell, Weber, Wharton—21.

Absent — Messrs. Anderson, Breaux, Cage, Detiege, Dumont, Eustis, Goode, Gla, Herwig, Pollard, White, Whitney, Young—15.

Prayer was offered by the Rev. Mr. Bryant.

The journal was read.

On motion of Senator Wharton, the further reading of the journal was postponed for one hour.

On the call of Senator Masicot, the Senate went into executive session.

The executive session having been raised, on a call of the roll the following Senators answered to their names:

Present—Messrs. Alexander, Anderson, Blackburn, Blunt, Breaux, Brewster, Burch, Chadbourn, Dumont, George, Greene, Harper, Kelly, Pollard, Robertson, Steven, Stamps, Sypher, Twitchell, Weber, Wharton—21.

Absent—Messrs. Allain, Cage, Detiege, Eustis, Goode, Gla, Grover, Herwig, Kelso, Landry, Masicot, Ogden, White, Whitney, Young—15.

MESSAGE FROM THE HOUSE.

The Chief Clerk of the House was announced with the following message:

HOUSE OF REPRESENTATIVES, New Orleans, February 5, 1876.

To the Honorable President and Members of the Senate:

I am directed by the House of Representatives to request the concurrence of your honorable body in House bill No. 159, an act proposing amendments to the constitution; also, in House joint resolution No. 272, resolution and address of the Senate and House of Representatives to the Governor of the State for the removal of Jacob Hawkins, judge of the Superior District Court for the parish of Orleans.

Respectfully, etc.,
PETER J. TREZEVANT, Chief Clerk.

REPORTS OF COMMITTEES.

Senator Wharton, from the Committee on Railroads, made the following report:

COMMITTEE ON RAILROADS, New Orleans, February 5, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Railroads, to whom was referred Senate bill No. 39, an act relative to the street railroads in the city of New Orleans, and other purposes, beg leave to report favorably, with the following amendments:

SEC. 3. Be it further enacted, etc., That any officer, employe or agent of said railroads who may in any manner violate any of the provisions of this act shall be liable to a fine of not less than one hundred dollars nor more than three hundred dollars, and shall be subjected, on conviction, to imprisonment for a period of not less than three months nor more than six months, at the discretion of the court. All criminal prosecution for violating the provisions of this act shall be brought in the Superior Criminal of New Orleans, and it is hereby made the duty of the district attorney to prosecute, by information and indictment, all such offenses brought to his knowledge.

SEC. 4. Be it further enacted, etc, That any street railroad company violating the provisions of this act, through the actions of any of its officers, agents or employes, shall render said company liable to the forfeiture of its charter; and the Attorney General of the State of Louisiana, upon evidence of such violation, is hereby authorized and instructed to institute judicial proceedings before any court of competent jurisdiction for the forfeiture of said charter.

Make section three section five.

Respectfully,
W. W. WHARTON, Chairman;
A. J. SYPHER,
R. H. CHADBOURN,
E. F. HERWIG,
JAMES H. GROVER.

The report lies over.

Senator Weber, from the Committee on Health and Quarantine, submitted the following report:

COMMITTEE ON HEALTH AND QUARANTINE, New Orleans, February 5, 1876.

To the Honorable President and Members of the Senate:

Your committee, to whom was referred Senate bill No. 47, an act to provide place of burial for indigent persons, within certain limits of the city of New Orleans, to provide for the payment of the same, beg leave to report unfavorably, and ask that it do not pass. Respectfully submitted,
E. L. WEBER, Chairman;
J. R. ALEXANDER,
WILLIAM KELLY,
W. A. ROBERTSON,
A. DUMONT.

The report lies over.

The Committee on Health and Quarantine, through its choirman, Senator Weber, submitted the following majority and minority reports on House bill No. 32, reading as follows:

COMMITTEE ON HEALTH AND QUARANTINE, New Orleans, February 5, 1876.

To the Honorable President and Members of the Senate:

Your committee, to whom was referred House bill No. 32, an act to repeal an act entitled an act to establish a hospital for small-pox and other contagious diseases, report favorably and ask that it do pass.

Respectfully submitted.
J. R. ALEXANDER,
WILLIAM KELLY,
W. A. ROBERTSON.

COMMITTEE ON HEALTH AND QUARANTINE, New Orleans, Febuary 5, 1876.

To the Honorable President and Members of the Senate:

Your committee, to whom was referred House bill No. 32, an act to repeal an act entitled an act to establish a hospital for small-pox and other contagious diseases, report unfavorably, and ask that it do not pass.

Respectfully submitted,
E. L. WEBER, Chairman;
A. DUMONT.

The reports lie over.

INTRODUCTION OF BILLS ACCORDING TO PREVIOUS NOTICE.

By Senator Anderson:

Senate bill No. 120, entitled an act granting to the Charity Hospital Medical College of New Orleans the right to confer degrees and grant diplomas; to have the same effect, and to confer on said Charity Hospital Medical College the same powers and privileges, that are possessed by the Medical Department of the University of Louisiana.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed on its second reading, and referred to the Committee on Corporations and Parochial Affairs.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Chadbourn:

Senate bill No. 127, entitled an act to perpetuate the charter of the Louisiana Equitable Life Insurance Company.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed upon its second reading, and referred to the Committe on Corporations and Parochial Affairs.

Also, Senate bill No. 122, entitled an act to secure to the large and industrious population residing on or near the public road on the levee from Joseph street to Carrollton regular and easy access to the business portion of the city, from which they are now almost excluded; to reduce the fares now exacted for passenger travel to Carrollton one-half; to enable the owners of the vast body of unproductive land now lying between the existing Carrollton railroad and the Mississippi river, and between Joseph street and Carrollton, to make it of great benefit to the public and themselves, and greatly add to the present taxable value of the same to the State and city treasuries by its improvement; and to confirm and enlarge the contract now existing between the city of New Orleans and the Crescent City Railroad Company for the accomplishment of these results.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed on its second reading, and referred to the Committee on Railroads.

UNFINISHED BUSINESS.

The subject matter pending at the time of adjournment was the calling of the yeas and nays on the motion of Senator Chadbourn to table the motion of Senator Allain to postpone the further consideration of House bill No. 14 until Wednesday.

Senator Chadbourn withdrew the motion to table, and moved as a substitute that the further consideration of the bill be postponed until Wednesday next at 1 P. M.

Adopted.

The journal was then read, corrected and approved.

Senator Breaux asked and obtained unanimous consent to take up Senate bill No. 72, entitled an act to create a special levee district in the parishes of Pointe Coupee and Iberville, at the present time.

On motion of Senator Breaux the bill was recommitted to the Committee on Lands and Levees, and the committee was instructed to report on next Wednesday.

Senator Sypher asked and obtained unanimous consent to call up the majority report of the Committee on Finance on Senate bill No. 35, as follows:

Your Committee on Finance reports favorably on Senate bill No. 35, an act to fix the compensation of the clerks of the district courts of the parish of Orleans.

A. J. SYPHER, Chairman.

Senator Sypher moved that the majority report be adopted.

Adopted.

Senator Sypher moved that the bill be considered engrossed.

Senator Young offered the following amendment:

Strike out "five thousand dollars" and insert "four thousand dollars."

The amendment was adopted.

The bill was considered engrossed.

On motion of Senator Sypher, the constitutional rules were suspended by a four-fifths affirmative vote of the Senate, and the bill was placed on its third reading and final passage.

Senator Wharton called for the yeas and nays upon the final passage of the bill, with the following result:

Yeas — Alexander, Allain, Anderson, Blunt, Breaux, Brewster, Burch, Dumont, George, Greene, Grover, Harper, Kelso, Kelly, Masicot, Pollard, Robertson, Stamps, Steven, Sypher, Twitchell, Weber, Wharton, Young—24.

Nay—Blackburn—1.

Absent—Cage, Chadbourn, Detiege, Eustis, Goode, Gla, Herwig, Landry, Ogden, White, Whitney—11.

On motion of Senator Sypher the title of the bill was adopted, and the bill was ordered to be sent to the House for concurrence.

Senator Brewster called up the report of the Judiciary Committee, on Senate bill No. 92, as follows:

Your Committee on Judiciary report favorably on Senate bill No. 92, an act to fix the terms of the district courts in the Fourteenth Judicial District, and providing for the drawing and summoning of juries for said terms.

T. C. ANDERSON, Chairman.

On motion of Senator Brewster the report was adopted.

On motion of Senator Brewster, the bill was considered engrossed.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed on its third reading and final passage, its title was adopted and it was ordered to be sent to the House for concurrence.

Senator Sypher called up the report of the Committee on Finance on Senate bill No. 36, as follows:

COMMITTEE ON FINANCE, New Orleans, February 4, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Finance, to whom was referred Senate bill No. 36 (by Mr Stamps), beg leave to report the same favorably, with the following amendments: In section two, line five, strike out "fifty" and insert "forty," and in line eleven strike out "fifty" and insert "forty."

Respectfully,
A. J. SYPHER, Chairman.

On motion of Senator Sypher the report was adopted.

On motion of Senator Sypher the bill was considered engrossed.

On motion of Senator Sypher the constitutional rules were suspended by a four-fifths affirmative vote of the Senate, in order to place the bill upon its third reading and final passage.

Senator Sypher moved that the bill finally pass.

Senator Stamps moved to reconsider the vote by which the bill was considered engrossed.

Senator Twitchell called for the yeas and nays, with the following result:

Yeas — Alexander, Allain, Anderson, Blackburn, Breaux, Dumont, Greene, Masicot, Ogden, Pollard, Stamps, Young—12.

Nays—Blunt, Brewster, Burch, Chadbourn, George, Grover, Harper, Kelso, Kelly, Robertson, Steven, Sypher, Twitchell, Weber, Wharton—15.

Absent — Cage, Detiege, Eustis, Goode, Gla, Herwig, Landry, White, Whitney—9.

And the motion to reconsider was rejected.

The question recurring on the final passage of the bill, Senator Ogden moved that the further consideration of the bill be postponed until Thursday next at 1 P. M.

Senator Grover moved to lay the motion to postpone on the table.

Senator Stamps called for the yeas and nays with the following result:

Yeas—Alexander, Anderson, Blunt, Brewster, Burch, Grover, Harper, Herwig, Kelly, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton—15.

Nays—Allain, Blackburn, George, Greene, Kelly, Ogden, Robertson, Young—8.

Absent—Breaux, Cage, Chadbourn, Detiege, Dumont, Eustis, Goode, Gla, Landry, Masicot, Steven, White, Whitney—13.

And the motion to table was adopted.

The question recu on the final passage of the bill, Mr. Sypher called for the previous question.

The main question was ordered.

On the final passage Senator Sypher called for the yeas and nays, with the following result:

Yeas—Allain, Anderson, Blunt, Breaux, Brewster, Burch, Chadbourn, Dumont, Grover, Harper, Herwig, Kelso, Masicot, Pollard, Robertson, Stamps, Sypher, Twitchell, Weber, Wharton—20.

Nays—Alexander, Blackburn, George, Greene, Kelly, Ogden, Young—7.

Absent—Cage, Detiege, Eustis, Goode, Gla, Landry, Steven, White, Whitney—9.

During the calling of the roll, while Senator Alexander was explaining his vote, Senator Allain made the point of order that the previous question has been ordered, and that as it is not debatable an explanation is out of order.

The President ruled the point not well taken, on the ground that although the previous question cuts off debate the real question was upon the final passage of the bill, which is a debatable question, and that therefore a Senator can explain his vote under the rule, allowing an explanation on all questions in their nature debatable.

And the bill was finally passed.

On motion of Senator Sypher the title was amnded by striking out "fifty thousand" and inserting "forty thousand," and the title as amended was ordered to stand, and the bill was ordered sent to the House for concurrence.

RESOLUTION.

Senator Burch called up the following resolution:

Resolved, That the President of the Senate appoint a special committee of three, whose duties shall be to inquire into the lease of the wharves of the city of New Orleans, and into the legality of the wharf improvement bonds, for whose liquidation said wharves were leased; and that said special committee shall have power to send for persons and papers, and to administer oaths.

Sonator Burch moved that the resolution be adopted.

Adopted.

Senator Ogden, by unanimous consent, presented a memorial from the Administrators of the city of New Orleans relative to city affairs.

On motion of Senator Wharton the further reading of the memorial was dispensed with, and the different subjects were referred to appropriate committees.

Senator Wharton, from the Committee on Railroads, asked and obtained unanimous consent to call up the following report at this time:

COMMITTEE ON RAILROADS, New Orleans, February 5, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Railroads, to whom was referred Senate bill No. 39, an act relative to the street railroads in the city of New Orleans, and other purposes, beg leave to report favorably, with the following amendments:

SEC. 3. Be it further enacted, etc., That any officer, employe or agent of said railroads who may in any manner violate any of the provisions of this act shall be liable to a fine of not less than one hundred dollars, nor more than three hundred dollars, and shall be subjected on conviction, to imprisonment for a period of not less than three months, nor more than six months, at the discretion of the court. All criminal prosecutions for violating the provisions of this act, shall be brought in the Superior Criminal Court of New Orleans; and it is hereby made the duty of the district attorney to prosecute by information and indictment all such offenses brought to his knowledge.

SEC. 4. Be it further enacted, etc., That any street railroad company violating the provisions of this act, through the actions of any of its officers, agents or employes, shall render said company liable to the forfeiture of its charter; and the Attorney General of the State of Louisiana, upon evidence of such violation, is hereby authorized and instructed to institute judicial proceedings before any court of compe ent jurisdiction for the forfeiture of said charter.

Make section three section five.

Respectfully,
W. W. WHARTON, Chairman;
A. J. SYPHER,
R H. CHADBOURN,
E. F. HERWIG,
JAMES H. GROVER.

On motion of Senator Wharton the report was adopted, and the bill was made the special order of the day for Thursday next, at 1 P. M.

By unanimous consent Senator Harper called up House bill No. 146, entitled an act to annex certain territory of the parish of Lincoln to the parish of Jackson; to provide for the redivision of Jackson parish into police jury wards; to dispose of certain suits pending in the courts of Lincoln parish, and to permit certain persons to select the parish of their domicile.

The bill was read the first time.

Senator Harper moved to suspend the constitutional rules to place the bill on its second reading.

The constitutional rules were suspended by a four-fifths affirmative vote of the Senate, and the bill was placed on its second reading.

Senator Harper moved to adopt the bill on its second reading.

Senator Blunt moved to refer the bill to the Committee on Corporations.

Senator Sypher rose to a question of privilege relative to an article in the New Orleans *Democrat*, as follows:

Mr. President—I rise to a question of privilege, and ask the Clerk to read the following article which appeared in the *Democrat*, entitled, "Radical Artillery."

The Clerk read the following:

"RADICAL ARTILLERY.

"A. J. Sypher, one of the rotten-borough Senators with whom this State is cursed, and who bribed the notorious Jaques to forge affidavits for the benefit of his brother, said in the Senate that the Returning Board is the artillery of the Republican party. We shall see what that artillery will amount to when opposed by the Krupp guns of popular indignation. Very little we suspect if it is to be manned by fellows like Sypher."

Now, Mr. President, that article was drawn out by remarks that were made the other day in reply to a declaration of war made by Senators upon the floor of this Senate. I will now ask the clerk to read the first, second and third verses of the fourth chapter of the Epistle of St. James as part of my remarks.

The Clerk read the following fourth chapter of the General Epistle of St. James, "Worldly desires reproved:"

"From whence come wars and fighting among you? Came they not hence even of your lusts that war in your members? 2. Ye lust, and have not. Ye kill, and desire to have, and can not obtain. Ye fight and war, yet ye have not because ye ask not. 3. Ye ask and receive not, because ye ask amiss, that ye may consume it upon your lust."

Senator Sypher—I am done.

MESSAGE FROM THE HOUSE.

The Chief Clerk of the House was announced with the following message:

HOUSE OF REPRESENTATIVES, New Orleans, February 5, 1876.

To the Honorable President and Members of the Senate:

I am directed by the House of Representatives to inform your honorable body that the House of Representatives has concurred in Senate concurrent resolution appointing a joint committee to investigate the charges against United States Senator West.

Respectfully, etc.,
PETER J. TREZEVANT, Chief Clerk.

Senator Grover asked and obtained unanimous consent to introduce Senate bill No. 123, entitled an act governing the manner in which cotton press receipts, warehouse receipts, or the receipts of other custodians of any property whatsoever, shall be issued in all cases where such receipts shall or may be used or pledged as collateral security for money advanced or borrowed on faith of the property therein specified, and governing the delivery and disposal of the property for which such receipts may be issued.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed upon its second reading, and referred to the Committee on Judiciary.

On motion of Senator Grover, the Senate was declared adjourned until Monday, February 7, at 11:30 A. M.

P. E. BECHTEL, Secretary of the Senate.

Twenty-eighth Day's Session.

SENATE CHAMBER, New Orleans, February 7, 1876.

The Senate met pursuant to adjournment at twelve o'clock M., the Hon. C. C. Antoine, Lieutenant Governor and President of the Senate, in the chair.

On a call of the roll, the following Senators answered to their names:

Present—Messrs. Alexander, Blackburn, Blunt, Brewster, Burch, Cage, Greene, Grover, Harper, Kelso, Kelly, Landry, Masicot, Ogden, Robertson, Steven, Sypher, White—18.

Absent — Messrs. Allain, Anderson, Breaux, Chadbourn, Detiege, Dumont, Eustis, George, Goode, Gla, Herwig, Pollard, Stamps, Twitchell, Weber, Wharton, Whitney, Young—18.

Eighteen Senators present and no quorum.

Senator Burch moved to take a recess until twelve o'clock M.

Adopted.

At twelve o'clock M. the Senate was called to order by the Lieutenant Governor and President of the Senate.

On call of the roll the following Senators answered to their names:

Present—Messrs. Alexander, Anderson, Allain, Blunt, Brewster, Burch, Cage, Chadbourn, George, Goode, Greene, Grover, Harper, Herwig, Kelly, Kelso, Masicot, Ogden, Pollard, Robertson, Stamps, Steven, Sypher, Weber, Wharton, White—26.

Absent—Messrs. Blackburn, Breaux, Detiege, Dumont, Eustis, Gla, Landry, Twitchell, Whitney, Young—10.

Prayer by the chaplain, Rev. Mr. Dardis.

The journal was read and approved.

REPORT OF A SPECIAL COMMITTEE.

Senator Weber, chairman of the special committee on outrages in the parishes of East and West Feliciana and East Baton Rouge, stated that he had on various occasions attempted to bring together the members of the committee and had failed, and that unless he could get together a majority of the committee he would proceed to take testimony.

PETITIONS AND MEMORIALS.

By Senator Herwig:

Petition of citizens of the State of Louisiana residing in the parish of Tangipahoa, asking that the Ponchatoula river be dredged.

Referred to the Committee on Canals, Drainage and Inland Navigation.

INTRODUCTION OF BILLS ACCORDING TO PREVIOUS NOTICE.

By Senator Brewster:

Senate bill No. 124, entitled an act to prohibit the sale, gift or bartering of deadly weapons or ammunition therefor to minors.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed upon its second reading, and referred to the Committee on Judiciary.

INTRODUCTION OF RESOLUTIONS.

By Senator Young:

Resolved, That from and after the adoption of this resolution, the chairmen of committees be and they are hereby required to report to the Senate all bills submitted to their respective committees at the expiration of five days after the bills are referred, unless otherwise ordered by the Senate.

Lies over.

UNFINISHED BUSINESS.

House bill No. 146, entitled an act to annex certain territory of the parish of Lincoln to the parish of Jackson, etc., being under consideration when the Senate last adjourned, on the motion of Senator Blunt to refer the bill to the Committee on Corporations and Parochial Affairs, being the unfinished business, Senator Blunt made the following point of order:

That House bill No. 146 could not be taken up as unfinished business, as a bill had subsequently been introduced and acted upon, and consequently House bill No. 146 lost its place as the unfinished business.

The President of the Senate considered the point of order well taken.

Senator Burch asked and obtained unanimous consent to take up House bill No. 146.

Senator Blunt moved its reference to the Committee on Corporations and Parochial Affairs.

Senator Burch moved to lay the motion on the table, and demanded the yeas and nays, resulting as follows:

Yeas—Anderson, Blunt, Brewster, Burch, Cage, Chadbourn, Harper, Herwig, Kelso, Landry, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton—16.

Nays — Allain, Alexander, Blackburn, George, Goode, Greene, Grover, Kelly, Ogden, Robertson, Steven, White, Young—13.

Absent — Breaux, Detiege, Dumont, Eustis, Gla, Masicot, Whitney—7.

Senator Burch moved that House bill No. 146 be adopted upon its second reading, and called for the previous question.

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

Yeas — Blunt, Brewster, Burch, Cage, Chadbourn, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton—16.

Nays — Alexander, Allain, Anderson, Blackburn, George, Goode, Greene, Grover, Kelly, Ogden, Robertson, Steven, White, Young—14.

Absent—Breaux, Detiege, Dumont, Eustis, Gla, Whitney—6.

Main question ordered.

On the motion to adopt the bill on its second reading, the yeas and nays were demanded by Senator Young, resulting as follows:

Yeas—Anderson, Blunt, Breaux, Brewster, Burch, Cage, Chadbourn, George, Harper, Herwig, Kelso, Landry, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Young—20.

Nays—Alexander, Allain, Blackburn, Goode, Greene, Grover, Kelly, Ogden, Robertson, Steven, White—11.

Absent—Detiege, Dumont, Eustis, Gla, Whitney—5.

Pending the calling of the roll Senator Allain made the following point of order: That according to a previous ruling he had the right at this time to explain his vote.

The President ruled that it was out of order to explain a vote after the main question had been ordered, except it was on the final passage of a bill; then any Senator would have the right to explain his vote, even under the operation of the main question.

Senator Allain appealed from the decision of the Chair.

Senator Pollard called for the yeas and nays on the appeal, resulting as follows:

Yeas — Alexander, Allain, Blackburn, Blunt, Breaux, Brewster, Burch, Chadbourn, Cage, George, Goode, Grover, Harper, Kelso, Kelly, Landry, Masicot, Ogden, Pollard, Stamps, Sypher, Twitchell, Weber, Young—24.

Nays—Greene, Wharton—2.

Absent—Anderson, Detiege, Dumont, Eustis, Gla, Herwig, Robertson, Steven, White, Whitney—10.

The decision of the Chair was sustained.

Senator Burch moved that House bill No. 146 be made the special order of the day for Monday next, immediately after the morning hour.

Upon which the yeas and nays were demanded by Senator Alexander, resulting as follows:

Yeas—Anderson, Blunt, Breaux, Blackburn, Burch, Cage, Chadbourn, George, Goode, Greene, Grover, Kelso, Kelly, Landry, Masicot, Ogden, Pollard, Steven, Twitchell, Weber, Wharton, Young—22.

Nays—Alexander, Allain, Harper—3.

Absent—Brewster, Detiege, Dumont, Eustis, Gla, Herwig, Robertson, Stamps, Sypher, White, Whitney—11.

Senator Young moved to reconsider the vote by which House bill No. 146 was made the special order of the day for Monday next.

Senator Burch moved to lay the motion to reconsider on the table.

Adopted.

By unanimous consent, Senator Wharton called up Senate bill No. 107, substitute for Senate bill No. 57, entitled an act to authorize and require the police jurors in certain parishes to submit ordinances to the popular vote of said parishes, with reference to subscriptions to the stock of the New Orleans Pacific Railway Company, and, in the event of a favorable vote, to require said police juries to subscribe to the stock of said company, to issue bonds therefor, and to levy a tax to meet the principal and interest of said bonds; to provide penalties against a diversion of said tax, and remedies in favor of the holders of said bonds; and to declare the use to be made of moneys to be paid to said railroad; to provide a remedy by mandamus and for damages, to force a compliance with this act; to provide a preference for certain appeals; to impose special duties on State officers of election in said parishes and on parochial officers, and to provide for the collection of the taxes provided for in this act, and to repeal conflicting laws.

On motion of Senator Harper Senate bill No. 107, substitute for Senate bill No. 57, was made the special order of the day for Wednesday at 2 P. M.

By unanimous consent Senator Harper called up the report of the Committee on Finance on Senate bill No 94, as follows:

Your Committee on Finance report favorably on Senate bill No. 94, an act for the relief of the minor heirs of E. C. Hart, deceased, late of the parish of Caddo, to reduce their tax assessments of 1873 and 1874, and to remit penalties.

A. J. SYPHER, Chairman.

On motion of Senator Harper, the report of the committee was adopted.

Senator Harper moved that the bill be considered engrossed.

Senator Blunt moved that the bill be indefinitely postponed.

Senator Harper moved to lay the motion to indefinitely postpone on the table.

Upon which the yeas and nays were demanded by Senator Blunt, resulting as follows:

Yeas—Anderson, Blunt, Brewster, Burch, Cage, Chadbourn, Dumont, Harper, Herwig, Kelso, Landry, Pollard, Stamps, Twitchell, Weber, Wharton, White, Young—18.

Nays—Allain, Blackburn, Breaux, Goode, Greene, Kelly, Masicot, Robertson, Whitney—9.

Absent—Alexander, Detiege, Eustis, Gla, George, Grover, Ogden, Steven, Sypher—9.

Senator Blunt moved that Senate bill No 94 be referred to the Committee on Judiciary.

Senator Harper moved to lay the motion on the table.

Upon which the yeas and nays were demanded by Senator Blunt, with the following result:

Yeas — Anderson, Breaux, Brewster, Burch, Cage, Chadbourn, Harper, Herwig, Kelso, Landry, Pollard, Stamps, Twitchell, Weber, Wharton, Young—16.

Nays — Alexander, Allain, Blackburn, Blunt, Dumont, George, Goode, Greene, Kelly, Masicot, Robertson, White, Whitney—13.

Absent—Detiege, Eustis, Gla, Grover, Ogden, Steven, Sypher—7.

The question recurring upon the motion to consider the bill engrossed, Senator Harper called for the previous question.

Main question ordered.

The bill was considered engrossed.

On motion of Senator Harper, Senate bill No. 94 was made the special order of the day for to-morrow at 1:30 P. M.

On the call of Senator Pollard the Senate went into executive session.

Executive session having been raised, on the call of the roll the following Senators answered to their names:

Present—Messrs. Alexander, Allain, Anderson, Blunt, Breaux, Brewster, Burch, Cage, Chadbourn, George, Goode, Greene, Harper, Herwig, Kelly, Masicot, Ogden, Pollard, Robertson, Stamps, Steven, Sypher, Twitchell, Weber, Wharton, White, Whitney, Young—28.

Absent — Messrs. Blackburn, Deteige, Dumont, Eustis, Gla, Grover, Kelso, Landry—8.

MESSAGE FROM THE HOUSE.

The Chief Clerk of the House was announced with the following message to the Senate:

HOUSE OF REPRESENTATIVES, New Orleans, February 7, 1876.

To the Honorable President and Members of the Senate:

I am directed by the House of Representatives to request the concurrence of your honorable body in the following House bills, to wit:

No. 246, an act to prohibit the funding of and the issue of consolidated State bends in exchange for any portion of the unlawfully guaranteed bonds of the New Oreans, Mobile and Chattanooga Railroad Company, etc.

No. 287, an act to repeal the act creating the Superior District Court for the parish of Orleans, to abolish said Superior District Court, and to transfer the records of said court to the Third District Court of the parish of Orleans.

No. 185, an act relative to the recording of births and marriages and deaths in the parish of Orleans, etc.

And also to inform your honorable body that the Speaker of the House has signed the following enrolled bills:

Act to increase the number of jurors drawn for service in the parish of Claiborne, and to limit the time of their service.

Also, an act to change the name of the town of Brashear to Morgan City, and reenact an act entitled an act to incorporate the town of Brashear, in the parish of St. Mary, approved April 27, 1875.

An act to enroll the charter of the Pelican Hook and Ladder Company No. 1, of the city of Baton Rouge, in the parish of East Baton Rouge, State of Louisiana.

And to ask that the Lieutenant Governor and presiding officer of the Senate put his signature to the same.

Respectfully,
PETER J. TREZEVANT, Chief Clerk.

Senator White, by unanimous consent, called up Senate bill No. 61, entitled an act to amend and re-enact article 575 of the Code of Practice, on its second reading.

On motion of Senator White the bill was considered engrossed.

On motion of Senator White the constitutional rules were suspended by a four-fifths affirmative vote of the Senate, the bill was placed on its third reading and final passage, its title was adopted, and it was ordered to be sent to the House for concurrence.

By unanimous consent Senator White called up Senate bill No. 62, entitled an act to amend and re-enact article 3042 of the Civil Code, on its second reading.

On motion of Senator White, the bill was considered engrossed.

On motion of Senator White, the constitutional rules were suspended by a four-fifths affirmative vote of the Senate, the bill was placed on its third reading and final passage, its title was adopted, and it was ordered to be sent to the House for concurrence.

HOUSE BILLS ON FIRST READING.

Senator Robertson moved that the Senate take up House bills on their first reading.

Adopted.

House bill No. 153, entitled an act to incorporate Home Hook and Ladder Company of the town of Thibodaux, parish of Lafourche, and to provide for the organization and government of the same, and exempting from jury and militia duty the members thereof, was read a first time.

The constitutional rules being suspended of a four-fifths affirmative vote of the Senate, the bill was placed upon its second reading and referred to the Committee on Corporations and Parochial Affairs.

House bill No. 15, entitled an act for the relieve of the heirs of Similien Labranche, was read a first time.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed upon its second reading, and referred to the Committee on Claims.

House bill No. 159, entitled an act proposing an amendment to article sixty-six of the constitution, was read a first time.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed on its second reading, and referred to the Committee on Judiciary.

House bill No. 272, entitled a first resolution and address of the Senate and House of Representatives to the Governor of the State for the removal of Jacob Hawkins, judge of the Superior District Court for the parish of Orleans, was read a first time.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed upon its second reading.

Senator Whitney moved that the bill be read in detail.

Senator Young moved that the bill be made the special order of the day for Thursday at 2 P. M.

Senator Twitchell moved to lay the motion on the table, upon which the yeas and nays were demanded by Senator Young, resulting as follows:

Yeas—Anderson, Blunt, Breaux, Burch, Brewster, Cage, Chadbourn, George, Goode, Grover, Harper, Kelso, Kelly, Landry, Ogden, Pollard, Robertson, Stamps, Steven, Sypher, Twitchell, Weber, Wharton, White, Whitney—26.

Nays — Alexander, Allain, Greene, Young—4.

Absent—Blackburn, Detiege, Dumont, Eustis, Gla, Herwig, Masicot—6.

The bill was calendared.

Senator Allain moved to take up House bill No. 272 at this time.

The President ruled that the bill could not be taken up at this this time except by unanimous consent.

House bill No. 106, entitled an act for the relief of Boykin Witherspoon, of DeSoto parish, Louisiana, was read a first time.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed upon its second reading, and referred to the Committee on Finance.

Senator Allain moved to suspend the constitutional rules to take up House bill No. 272.

Senator Sypher made the point of order that under rule twenty-six the bill can not be taken up at this time except by unanimous consent.

The President decided the point of order well taken.

House bill No. 135, entitled an act relative to the transfer of stocks, and to amend section 313 of the Revised Statutes of the State of Louisiana, was read a first time.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed on its second reading, and referred to the Committee on Judiciary.

House bill No. 162, entitled an act for the relief of the Seventh Street Orphans' Home, was read a first time.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed on its second reading, and referred to the Committee on Charitable and Public Institutions.

House bill No. 218, entitled a joint resolution in relation to the obstructions in Bayou Lafourche, was read a first time.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed upon its second reading.

On motion of Senator Goode, the bill was adopted on its second reading.

On motion of Senator Goode, the constitutional rules were further suspended by a four-fifths affirmative vote of the Senate, the bill was placed on its third reading and final passage, its title was adopted, and notice was ordered to be sent to the House.

House bill No. 185, entitled an act relative to the recording of births, deaths and marriages in the parish of Orleans, designating the president of the Board of Health of the State of Louisiana as recorder, and empowering the Board of Health to enforce this act by ordinance or other suitable regulations, was read a first time.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed upon its second reading, and referred to the Committee on Judiciary.

House bill No. 287, entitled an act to repeal the act creating the Superior District Court for the parish of Orleans; to abolish said Superior District Court; to transfer the records of said Superior District Court to the Third District Court for the parish of Orleans; and to regulate the jurisdiction of the district courts for the parish of Orleans in proceedings for the collection of taxes, was read a first time.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed on its second reading, and referred to the Committee on Judiciary.

House bill No. 246, entitled an act to prohibit the funding of and the issue of consolidated State bonds in exchange for any portion of the unlawfully guaranteed bonds of the New Orleans, Mobile and Chattanooga Railroad Company, and of the two and a half millions of bonds issued unconstitutionally for stock in said company, was read a first time.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was placed upon its second reading and referred to the Committee on Finance.

REPORTS OF COMMITTEES LYING OVER.

Senator Kelly called up the majority and minority reports on House bill No. 32, as follows:

COMMITTEE ON HEALTH AND QUARANTINE, New Orleans, February 5, 1876.

To the Honorable President and Members of the Senate:

Your committee, to whom was referred House bill No. 32, an act to repeal an act entitled an act to establish a hospital for small-pox and other contagious diseases, report favorably and ask that it do pass.

Respectfully submitted.
J. R. ALEXANDER,
WILLIAM KELLY,
W. A. ROBERTSON.

COMMITTEE ON HEALTH AND QUARANTINE, New Orleans, February 5, 1876.

To the Honorable President and Members of the Senate:

Your committee, to whom was referred House bill No. 32, an act to repeal an act entitled and act to establish a hospital for small-pox and other contagious diseases, report unfavorably, and ask that it do not pass.

Respectfully submitted,
E. L. WEBER, Chairman;
A. DUMONT.

Senator Weber moved that both reports and the bill be referred to the Committee on Judiciary, and called for the previous question.

On motion of Senator Cage, the Senate was declared adjourned until to-morrow, at twelve o'clock M.

P. E. BECHTEL, Secretary of the Senate.

HOUSE OF REPRESENTATIVES.

Twenty-ninth Day's Proceedings.

HOUSE OF REPRESENTATIVES, New Orleans, February 7, 1876.

The House met pursuant to adjournment, and was called to order by the Hon. E. D. Estilette, Speaker, in the chair.

On the call of the roll the following members answered to their names, to wit:

Speaker Estilette and Messrs Aldige, Booth, Byrne, Burkhardt, Bayley, Blaffer, Bower, Baker, Beasley, Carville, Cousin, Carloss, Dupre, DeBlanc, Dugas, Durr, Dewees, Dickenson, Delnommer, Dunn, Edwards of Richland, Elliott, Guichard, Gracien, Hall, Hill of Ascension, Hahn, Hubeau, Hill of Ouachita, Honore, Hammond, Jeffries, Jourdain, Johnson of Caddo, Johnson of Lafourche, Jones of Lincoln, Koontz, Kummel, Keeting, Kidd, Lane, Luckett, Lowell, Lafargue, Maginnis, Meredith, Mitchell, Matthews of Franklin, Murrell, Matthews of Tensas, McCollam, McAlpine, Magee, Nunez, Pascal, Piles, Pipes, Roman, Randall, Ridgely, Ray, Raby, Smith, Self, Sartain, Seeman, Sibilski, Stafford, Schenck, Stewart, Scales, Schuler, Thomas, Voorhies, Walker, Wiltz, Woods of Ouachita, Woods of West Baton Rouge, Wells, Webb, Young—82.

On motion of Mr. Woods, of West Baton Rouge, the minutes of Friday were adopted.

On motion of Mr. Meredith, the further consideration of the minutes of Saturday was postponed until to-morrow.

On motion of Mr. Car