

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, Blunt, Breux, Brewster, Burch, Cade, Chabourn, Cade, Dumont, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Prayer was offered by the Rev. Mr. Dardie.

The journal was read, corrected and approved.

REPORTS OF COMMITTEES.

Senator Breux, chairman of the Committee on Agriculture, Commerce and Manufactures, submitted the following report:

Your Committee on Agriculture, Commerce and Manufactures beg leave to report unfavorably on Senate bill No. 1, entitled an act to incorporate the Mercantile Insurance, Warehouse and Loan Company of New Orleans.

Respectfully submitted, JOHN E. BREUX, Chairman; D. YOUNG, ALLEN GREENE, J. H. GROVER.

Senator Brewster, on behalf of the Committee on Education, asked leave to have the usual number of the following bill printed for the use of the committee and Senate:

Senate bill No. 89, an act to unite the Louisiana State University, as now established and located near Alexandria, in the parish of Rapides, and the Agricultural and Mechanical College, as now established and located in the parish of St. Bernard, into one and the same institution of learning, to be known and designated under the name and title of the Louisiana State University, and to establish and locate the same at Baton Rouge, in the parish of East Baton Rouge.

Which was unanimously granted.

Senator Wharton, chairman of the Committee on Railroads, submitted the following report:

Your Committee on Railroads, to whom was referred Senate bill No. 92, an act to amend section one of an act to incorporate the Vidalia, Red River and Texas Railroad Company, beg leave to report the same favorably.

Also, on Senate bill No. 21, an act to incorporate the Vidalia and Lake Concordia Railway and Steamboat Transportation Company, with the following amendments, viz:

In line sixteen, strike out all from the word "thence," to the end of the section, and insert the following: "to be the most accessible and direct to form a connection or junction with any railroad incorporated under the laws of this State or the United States; provided, however, that said Vidalia and Lake Concordia Railway and Steamboat Transportation Company shall complete the road to Lake Concordia within five years from the date of the passage of this act."

Second amendment—At the end of the second section add the following: "Or at the terminus of said railroad, on the banks of any navigable stream."

Respectfully, W. W. WHARTON, Chairman.

The Committee on Railroads, through its chairman, submitted the following report:

Your Committee on Railroads, to whom was referred Senate bill No. 30, an act to protect the rights and privileges of the citizens of and inhabitants of towns and cities, and to prevent the obstructions and misuse of public places by and is hereby instructed to provide penalties, etc., beg leave to report the same by substitute, and recommend its passage.

Respectfully, W. W. WHARTON, Chairman; JAMES H. GROVER.

Senator Sypher gave notice that he would bring in a minority report.

By Senator Breux: Of a bill to be entitled an act making it an offense punishable with fine and imprisonment for stores selling liquors by wholesale or retail through the State to keep open and sell on Sundays, except in incorporated cities and towns.

By Senator Landry: WHEREAS, The failure of the Bank of America is reported such as to reflect on the efficiency of the laws regulating the condition of affairs of the banking institutions of the State, and create a doubt as to the compliance of the banks with such laws;

Resolved, That the Committee on Banks and Banking be and is hereby instructed to examine the laws on the subject matter, and to inquire into the condition of affairs of the banks; whether in keeping with the laws regulating the same; and that the committee have power to send for persons, books and papers, and administer oaths.

By unanimous consent the resolution was taken up and adopted.

UNFINISHED BUSINESS.

When the Senate adjourned it had under consideration the motion of Senator Weber asking for the main question on the motion to refer the majority and minority reports, and House bill No. 32, to the Judiciary Committee.

On the morning of the main question, the yeas and nays were demanded by Senator Allain, resulting as follows:

Yeas—Anderson, Blunt, Burch, Cade, Dumont, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Yeas—Alexander, Allain, Breux, Brewster, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

refer, Senator Young moved to lay the motion to refer on the table.

The yeas and nays were demanded by Senator Twitcheil on the motion to lay on the table the motion to refer, with the following result:

Yeas—Alexander, Allain, George, Goode, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—14.

Nays—Anderson, Blunt, Breux, Brewster, Burch, Cade, Dumont, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Stamps, Twitcheil, Weber, Wharton, White, Young—10.

Absent—Blackburn, Chabourn, Detiege, Eustis, Glia, Harper—6.

The Senate refused to table the motion to refer.

Senator Whitney called for the previous question on the motion to refer.

Main question ordered.

On the motion to refer the reports and bills to the Committee on Judiciary, the yeas and nays were demanded by Senator Whitney, resulting as follows:

Yeas—Anderson, Blunt, Burch, Brewster, Cade, Chabourn, Dumont, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—18.

Nays—Alexander, Allain, George, Goode, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—12.

Absent—Messrs. Anderson, Blackburn, Blunt, Cade, Detiege, Eustis, Glia, Harper—6.

The reports and bills were referred to the Committee on Judiciary.

REPORTS OF COMMITTEES LYING OVER.

Senator Whitney called up the report of the Committee on Corporations on Senate bill No. 77, as follows:

Your Committee on Corporations and Parochial Affairs report favorably on the following bill: Senate bill No. 77, an act fixing the salaries of the Mayor and each Administrator of the city of New Orleans, and to repeal all laws or parts of laws in conflict therewith.

M. H. TWITCHEIL, Chairman.

Senator Whitney moved the adoption of the report of the committee.

Senator Young offered the following amendment: "That the bill be referred to the Committee on Retrenchment and Reform."

Senator Whitney moved to lay the amendment on the table.

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

Yeas—Anderson, Blunt, Breux, Brewster, Burch, Cade, Chabourn, Dumont, George, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—17.

Nays—Alexander, Allain, George, Goode, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Absent—Blackburn, Detiege, Eustis, Glia, Herwig, Stamps, Sypher—7.

The motion was laid on the table.

Senator Whitney moved to adopt the report of the committee, and called for the previous question.

The report of the committee was adopted.

Senator Whitney moved that the bill be considered engrossed.

Senator Ogden offered the following amendment:

Strike out \$2000 and insert \$200, and strike out \$3000 and insert \$300.

Senator Whitney moved to lay the amendment on the table.

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

Yeas—Allain, Anderson, Blunt, Brewster, Burch, Cade, Chabourn, Harper, Kelo, Landry, Masicot, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—17.

Nays—Alexander, Allain, Anderson, Breux, Brewster, Burch, Chabourn, Dumont, George, Goode, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—25.

Absent—Blackburn, Detiege, Eustis, Glia, Harper—6.

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

HOUSE OF REPRESENTATIVES, New Orleans, February 9, 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 bill for the purpose of amending the act in Senate joint resolution No. 3, relative to the stocking of the waters of the State of Louisiana with fish.

Also, to call the concurrence of the Senate in the following House bills, viz:

House bill No. 9, entitled an act regulating the promulgation of the general laws of the State of Louisiana, and of all other acts of the General Assembly.

House bill No. 30, entitled an act to incorporate the town of Vienna, Lincoln parish, Louisiana, etc.

House bill No. 38, entitled an act to incorporate the Factors' Warehouse Bank to provide for its management, and the mode of securing pledges of produce and merchandise on warehouse receipts and actual pledges.

House bill No. 56, entitled an act to amend and re-enact section one of an act No. 96 of the acts of 1872, entitled an act to authorize the police jury of the parish of Cade to issue bonds.

House bill No. 72, entitled an act to authorize and empower the Board of Health to order the police jury to cause to be passed after disinfection, vessels from infected ports, etc.

House bill No. 173, entitled an act to regulate the trial of appeals in the Supreme Court.

House bill No. 175, entitled an act to fix and determine the qualifications of sureties on appeal bonds.

House bill No. 195, an act to amend article second of an act to incorporate the Citizens' Savings Bank, approved April 24, 1872, etc.

House bill No. 202, entitled an act to amend and re-enact sections two, three, four, five and six of an act to amend and re-enact an act to regulate the collection of taxes on the first day of January, 1874, entitled an act incorporating the New Orleans Sanitary Excavating Company in the city of New Orleans, and granting rights and privileges to its officers.

House bill No. 205, entitled an act to create three additional justices of the peace in the parish of Rapides, locating their offices, and prescribing the manner of filling the same.

House bill No. 217, entitled an act relative to judicial sales and advertisements in the parish of Orleans.

House bill No. 228, entitled an act to amend and re-enact section one of an act entitled an act to incorporate the town of Creola, in the parish of Winn, approved March 17, 1875.

House bill No. 231, entitled an act to define and regulate the lien, privilege and mortgage upon the property, resulting from the non-payment of taxes.

House bill No. 232, entitled an act to grant to intervenors and third opponents the right to bond property claimed by them when seized under any legal process, etc.

House bill No. 248, entitled an act to repeal an act No. 285, entitled an act to regulate proceedings in contestations between persons claiming a judicial office, approved January 15, 1874, and to repeal an act No. 285, entitled an act to regulate proceedings in contestations between persons claiming judicial office, approved January 15, 1874, and to repeal an act No. 112, session of 1874, entitled an act to incorporate the Louisiana State and Suppression of Cruelty to Animals.

Respectfully, PETER J. TREZEVANT, Chief Clerk.

Senator White offered the following amendments: Amend title by inserting "and State tax collectors in the parish of Orleans."

Senator Dumont asked a leave of absence for eight days for Senator Detiege.

Granted.

The hour for the special order of the day having arrived, Senator Harper moved that Senate bill No. 94, entitled an act for the relief of the minor heirs of E. C. Hart, deceased, late of the parish of Cade, do, to reduce their tax assessments of 1873 and 1874, and to remit penalties, be placed upon its third reading and final passage.

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

The question recurring on the amendment of Senator White—

Senator White moved to adopt the amendment.

Senator Whitney called for executive session.

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

Present—Messrs. Alexander, Allain, Breux, Brewster, Burch, Cade, Chabourn, George, Goode, Greene, Grover, Herwig, Kelo, Landry, Masicot, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—18.

Absent—Messrs. Anderson, Blackburn, Blunt, Cade, Detiege, Eustis, Glia, Harper—6.

The President of the Senate announced the following: In accordance with section 1543 of the Revised Statutes, the President of the Senate appoints the following Senators, Messrs. Landry, Goode and Whitney, on the part of the Senate, as the committee to examine the securities deposited by bankers and banking companies, together with all books and papers relating thereto.

Senator Cade moved to recommit the bill and amendment to the Committee on Corporations and Parochial Affairs.

Senator Allain made the point of order that the motion to amend takes precedence over the motion to recommit.

The President raised the point not well taken.

Senator Burch made the point of order that the bill should be referred to the Committee on Corporations, and the amendment to the Committee on Finance.

The President ruled that the point was well taken, as the amendment could not properly be referred to the Committee on Corporations.

Senator Blunt called for a division of the question.

Senator Cade moved to adjourn.

Senator Allain called for the yeas and nays, resulting as follows:

Yeas—Blunt, Breux, Cade, Chabourn, Grover, Herwig, Kelo, Landry, Pollard, Stamps, Sypher, Twitcheil, Weber—19.

Nays—Alexander, Allain, Anderson, Brewster, Burch, Dumont, George, Goode, Greene, Grover, Harper, Herwig, Kelo, Landry, Masicot, Ogden, Robertson, Stamps, Sypher, Twitcheil, Wharton, White, Young—13.

Absent—Blackburn, Detiege, Eustis, Glia—4.

The Senate refused to adjourn.

Senator Burch moved to lay the first proposition to recommit on the table.

Adopted.

Senator Burch moved that the motion to refer the second proposition be laid on the table.

Senator Young called for the yeas and nays, resulting as follows:

Yeas—Alexander, Allain, Anderson, Breux, Brewster, Burch, Chabourn, Dumont, George, Goode, Greene, Grover, Harper, Herwig, Kelo, Landry, Masicot, Ogden, Robertson, Stamps, Sypher, Twitcheil, Wharton, White, Young—25.

Nays—Blunt, Cade, Masicot, Pollard, Sypher, Twitcheil, Weber—7.

Absent—Blackburn, Detiege, Eustis, Glia—4.

The motion to re-commit was laid on the table.

Senator Whitney moved that the amendments offered by Senator White be laid on the table.

Senator Alexander called for the yeas and nays, resulting as follows:

Yeas—Blunt, Burch, Harper, Kelo, Pollard, Weber, Wharton—7.

Nays—Allain, Anderson, Breux, Brewster, Burch, Cade, Chabourn, Dumont, George, Goode, Greene, Grover, Herwig, Kelo, Landry, Masicot, Ogden, Robertson, Stamps, Sypher, Twitcheil, Wharton, White, Young—25.

Absent—Blackburn, Detiege, Eustis, Glia—4.

The Senate refused to table the amendments.

Senator Burch called for a division of the question.

Senator Allain moved the adoption of the first proposition, and called for the main question.

Senator Whitney made the point of order that the first proposition could not be entertained, on the ground that it was not germane to the subject matter under consideration.

The President decided the point of order well taken, and ruled the first proposition out of order.

The question recurring upon the second proposition, Senator Wharton offered the following substitute for the second proposition, reading as follows:

Sec. 2. Be it further enacted, etc., That in lieu of the compensation now granted by law to the State tax collectors of the several districts of the parish of Orleans, they shall receive salaries per annum, as follows: Collector of the First District, ten thousand dollars.

Collector of the Second District, nine thousand dollars.

Collector of the Third District, seventy-five hundred dollars.

Collector of the Fourth District, seventy-five hundred dollars.

Collector of the Fifth District, five thousand dollars.

Collector of the Sixth District, five thousand dollars.

Sec. 3. Be it further enacted, etc., That from and after the passage of this act it shall be the duty of the Auditor of Public Accounts to warrant monthly on the Treasurer of the State in pursuance of appropriations made by law, for the payment of the salaries provided in section two.

Sec. 4. Be it further enacted, etc., That the salaries hereinbefore provided for in this act shall be received in full compensation for services rendered in connection with the collection of taxes, and the State shall not be liable for office rent, stationery or any other expenses of office.

Sec. 5. Be it further enacted, etc., That all laws or parts of laws in conflict with the provisions of this act, in so far as they do conflict, are hereby repealed, and that this act shall take effect from and after its passage.

And moved its adoption.

[Senator Allain in the chair.] Senator Weber offered the following amendment to the substitute offered by Senator Wharton:

Be it further enacted, etc., That all laws or parts of laws in conflict with the provision of this act are hereby repealed, and that this act shall take effect from and after its passage, and be in force on and after the first day of January, 1877.

Senator Burch made the following point of order: That an amendment to a substitute is not in order.

The President (Senator Allain in the chair) declared the point not well taken.

Senator Robertson moved to lay the amendment on the table.

Senator Landry moved to adjourn.

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

Yeas—Anderson, Blunt, Cade, Chabourn, Harper, Kelo, Landry, Pollard, Stamps, Sypher, Twitcheil, Weber, Wharton—13.

Nays—Alexander, Allain, Breux, Brewster, Burch, Dumont, George, Goode, Greene, Grover, Herwig, Kelo, Landry, Masicot, Ogden, Robertson, Stamps, Sypher, Twitcheil, Wharton, White, Young—20.

Absent—Blackburn, Detiege, Eustis, Glia, Herwig, Masicot—6.

The Senate refused to adjourn.

The question recurring on the motion of Senator Robertson, the yeas and nays were demanded by Senator Sypher, resulting as follows:

Yeas—Alexander, Anderson, Blunt, Breux, Brewster, Burch, Cade, Chabourn, Dumont, George, Goode, Greene, Grover, Herwig, Kelo, Landry, Masicot, Ogden, Robertson, Stamps, Sypher, Wharton, White, Young—18.

Nays—Allain, Harper, Landry, Pollard, Twitcheil, Weber—6.

Absent—Blackburn, Detiege, Eustis, Glia—4.

And the amendment was laid on the table.

[The President of the Senate in the chair.] Senator Sypher offered the following amendment to the substitute:

And that Senators and Representatives shall receive as full compensation three dollars per day.

Senator Pollard moved to lay the amendment on the table.

Senator Whitney moved to adjourn, upon which the yeas and nays were demanded by Senator Wharton, resulting as follows:

Yeas—Blunt, Cade, Chabourn, Harper, Kelo, Pollard, Stamps, Twitcheil, Weber, Wharton, White, Young—19.

Nays—Alexander, Anderson, Breux, Burch, Brewster, Dumont, George, Goode, Greene, Grover, Herwig, Kelo, Landry, Masicot, Ogden, Robertson, Stamps, Sypher, Twitcheil, Wharton, White, Young—13.

Absent—Alexander, Blackburn, Detiege, Eustis, Glia, Ogden, Sypher—7.

The Senate refused to adjourn.

On the motion to table the amendment, the yeas and nays were demanded by Senator Robertson, with the following result:

Yeas—Alexander, Allain, Burch, Cade, George, Goode, Greene, Grover, Herwig, Kelo, Robertson, Stamps, Wharton, White, Young—17.

Nays—Blunt, Breux, Brewster, Chabourn, Dumont, Harper, Kelo, Landry, Masicot, Ogden, Robertson, Stamps, Sypher, Twitcheil, Weber, Wharton, White, Young—13.

Absent—Anderson, Blackburn, Detiege, Eustis, Glia, Pollard—6.

There being a tie vote the President of the Senate voted in the negative, stating that under rule No. 24, no Senator could vote upon a question where he was directly interested, and as he, as President, was not interested in said question was the only one authorized to decide the question.

Senator Stamps moved to adjourn until tomorrow at twelve o'clock M.

Senator Robertson called for the yeas and nays, resulting as follows:

Yeas—Alexander, Blunt, Cade, Chabourn, Harper, Stamps, Sypher, Twitcheil, Weber, Wharton—19.