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OF THE

FIFTH GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA.

SENATE.

Thirty-second Day's Session.

SENATE CHAMBER, New Orleans, February 11, 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 call of the roll, the following Senators answered to their names:

Present—Messrs. Alexander, Allain, Anderson, Blackburn, Blunt, Brewster, Burch, Dumont, George, Goode, Greene, Harper, Landry, Ogden, Pollard, Robertson, Stamps, Steven, Sypher, Weber, Wharton—21.

Absent—Messrs. Breaux, Cage, Chadbourn, Detiege, Eustis, Gla, Grover, Herwig, Kelso, Kelly, Masicot, Twitchell, White, Whitney, Young—15.

Prayer was offered by the Rev. Mr. Dardis.

The journal was read, corrected and approved.

PETITIONS AND MEMORIALS.

Senator Burch presented a memorial from the city council of Baton Rouge relative to the location of the State Agricultural and Mechanical College.

On motion of Senator Burch, the memorial was ordered printed in the journal, and referred to the Committee on Public Education.

It reads as follows:

MAYOR'S OFFICE, City of Baton Rouge, Monday, February 7, 1876.

At a regular meeting of the city council of the city of Baton Rouge, on the above date, the following ordinance in relation to the Mechanical and Agricultural College was confirmed and continued, viz:

RESOLUTIONS.

Be it ordained by the mayor and city council of the city of Baton Rouge, That in case of the location of the Agricultural and Mechanical College in Baton Rouge, the inducements offered by resolution of the mayor and board of selectmen, March 2, 1874, are hereby confirmed and continued, viz:

That a sufficient amount be appropriated out of the contingent fund to purchase about 100 acres of land near the State University for the use of said college.

That the public square known as Marcio square, fronting the State University, be also tendered the Agricultural and Mechanical College for the accommodation and use of its pupils when located in this city.

Unanimously adopted.

REPORTS OF COMMITTEES.

Senator Greene, from the Committee on Retrenchment and Reform, made the following report:

COMMITTEE ON RETRENCHMENT AND REFORM, New Orleans, February 11, 1876.

To the Honorable President and Members of the Senate:

Your committee have had under consideration House bill No. 136, an act to provide money compensation in lieu of stationery to members of the General Assembly, and to provide stationery for the Secretary of the Senate, to the Clerk of the House of Representatives and the committees of said houses, and beg leave to report favorably thereon.

Respectfully,
ALLEN GREENE, Chairman.
J. R. ALEXANDER.
W. A. ROBERTSON.
EDWARD D. WHITE.

The report lies over.

Senator Sypher, from the Committee on Finance, made the following report:

COMMITTEE ON FINANCE, New Orleans, February 10, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Finance having had under consideration House bill No. 41, an act to regulate the rate of parish taxation and assessment, report the same favorably with the following amendments:

In line eight, section one, strike out the words "one percentum" and insert in lieu thereof the following words: "The amount now limited by law."

And for section four the following additional section: "That all laws authorizing in any manner the levy of a judgment tax be and the same are hereby repealed, and that all claims against parishes shall be provided for out of the taxable limitation as now provided by law," thereby making section four section five.

A. J. SYPHER, Chairman.

The report lies over.

Senator Twitchell, from the Committee on Corporations, offered the following report:

COMMITTEE ON CORPORATIONS AND PAROCHIAL AFFAIRS, February 11, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Corporations and Parochial Affairs report favorably on the following bills, viz:

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

Also, on House bill No. 167, an act to confer the power to regulate the compensation for keeping prisoners in parish prisons upon the respective parishes of the State, other than the parishes of Orleans and Jefferson.

Also, House bill No. 259, an act to amend and re-enact act No. 111, approved March 13, 1850, incorporating the town of Homer, parish of Claiborne, with the following amendment:

In section five, line forty-three, strike out beginning with the word "to" lines forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine and fifty, ending with the word "gospel."

Also, on Senate bill No. 29, an act to incorporate the Merchants' Exchange of New Orleans, with the following amendments:

Strike out in title, in line four, beginning with the word "provided," lines four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen and fifteen, ending with the word "trade;" strike out all after the word "witnesses."

Strike out sections eight, nine and ten.

Change section eleven to section eight; section twelve to section nine; section thirteen to section ten; section fourteen to section eleven; section fifteen to section twelve; section sixteen to section thirteen.

In section twelve, in line sixteen, after the word "corporation," insert: "Provided that nothing in this act shall affect or be binding upon any person or persons not members of this said Merchants' Exchange."

In section thirteen, line five, after the word "shall," insert "take;" in the same line, strike out "passage" and insert "promulgation, the expense of said promulgation to be paid by the incorporation."

M. H. TWITCHELL, Chairman.

The report lies over.

Senator Anderson, from the Committee on Judiciary, made the following report:

COMMITTEE ON JUDICIARY, New Orleans, February 11, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Judiciary report:

On Senate bill No. 128, favorably, an act giving to intervenors the right to bond property attached, sequestered or provisionally seized, and prescribing the character of such bonds.

On Senate bill No. 58, favorably, an act to authorize the consolidation of companies organized for the purposes specified in section 683 of the Revised Statutes.

On House bill No. 232, unfavorably, an act to grant to intervenors and third opponents the right to bond property claimed by them when seized under any legal process in the hands of third persons, or for the debt or obligation of another.

On Senate bill No. 109, favorably, an act relative to privileges for taxes, and to restrict such privileges and mortgages to the property taxed, and to repeal all acts in conflict with this act.

On House bill No. 135, favorably, an act relative to the transfer of stocks, and re-enact an act to amend section 313 of the Revised Statutes of the State of Louisiana.

On Senate bill No. 14, favorably, an act to provide for the revival of judgments rendered by the district courts of the State prior to the organization of the judiciary under the constitution of 1868, when the amount sued for did not exceed $500, exclusive of interest.

On Senate bill No. 123, favorably, and recommend that it be printed for the use of Senators, an act entitled an act to govern the manner in which cotton press receipts, warehouse receipts, or the other custodians of any property whatsoever, shall be issued in all cases where such receipts shall or may be issued 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.

On Senate bill No. 2, unfavorably, an act to repeal an act entitled an act to exempt from seizure and sale a homestead and other property, approved December 22, 1865, and sections 1691 and 1692, of the Revised Statutes of Louisiana.

On Senate bill No. 15, unfavorably, an act to amend and re-enact section 1691 of Ray's Revised Statutes.

On House bill No. 26, unfavorably; Hon. E. D. White dissenting, an act to determine the mode of filling vacancies in all parish and municipal offices for which provision is not made in the constitution.

On Senate bill No. 46, unfavorably, Hon. E. D. White, dissenting, an act to punish the fraudulent obtaining of goods, money or merchandise by false promises of work to be done or agricultural products to be delivered at a future time.

T. C. ANDERSON, Chairman;
A. DUMONT,
EDWARD D. WHITE.

The report lies over.

Senator Twitchell, from the Committee on Corporations and Parochial Affairs, made the following report:

COMMITTEE ON CORPORATIONS AND PAROCHIAL AFFAIRS, February 10, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Corporations and Parochial Affairs report favorably on the following bills:

Senate bill No. 111, an act to incorporate the Home Savings Bank of New Orleans.

Also, Senate bill No. 120, an act granting to the Charity Hospital Medical College of New Orleans, the right to confer degrees and grant diplomas, etc., with the following amendment:

In section two, line four, after the word "privileges," insert "proportional with the number of students."

Also, House bill No. 153, an act to incorporate Home Hook and Ladder Company of the town of Thibodaux, with the following amendments:

In line five of the title, and section five, line six, strike out the word "militia."

M. H. TWITCHELL, Chairman.

The report lies over.

Senator Wharton, from the Finance Committee, made the following minority report:

COMMITTEE ON FINANCE, New Orleans, February 11, 1876.

To the Honorable President and Members of the Senate:

I respectfully submit a minority report on Senate bill No. 25, an act to reduce the emoluments of State tax collectors in the parish of Orleans, by offering a substitute bill therefor.

Respectfully, W. W. WHARTON.

The following is the substititute:

Senate bill No. 137, substitute for Senate bill No. 25, an act to amend section one of an act entitled an act to amend and re-enact sections one, seven, forty-nine, fifty-six, sixty-one, sixty-six, seventy-five and seventy-seven of an act entitled an act to provide a revenue; to levy and collect taxes; to prescribe certain penalties and forfeitures; to provide for the creation and removal of revenue officers, and to define their duties; to punish certain crimes and misdemeanors; to create liens and mortgages in favor of the State in certain cases; to regulate the manner of the payment of moneys from the treasury; to prescribe certain duties of justices of the peace, State and parish officers; to provide for the collection of back taxes and licenses, and to repeal all acts inconsistent therewith, approved March 3, 1871, and relative to fees of the Auditor of Public Accounts, approved March 6, 1872.

The report and bill lie over.

Senator Chadbourn, from the Committee on Lands and Levees, reported back to the Senate without action Senate bill No. 71, entitled an act to create a special levee district in the parishes of Pointe Coupee and Iberville.

INTRODUCTION OF BILLS ACCORDING TO PREVIOUS NOTICE.

By Senator Greene:

Senate bill No. 138, entitled an act attaching certain territory to the parish of Jackson and for other purposes.

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.

By Senator Harper:

Senate bill No. 139, entitled an act to provide for the appointment at future elections of one additional justice of the peace and one additional constable for ward No. 4 of the parish of Caddo.

The constitutional rules being suspended of 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 Burch:

Senate bill No. 140, entitled an act to require better qualifications of persons presenting themselves for examination before the Supreme Court to be admitted to the bar of the State.

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.

Senator Brewster, according to previous notice, introduced Senate bill No. 141, entitled an act to amend and re-enact section 2875 of the Revised Statutes of the State of Louisiana, and for other purposes.

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.

By unanimous consent Senator Harper introduced Senate bill No. 142, entitled an act to incorporate the Congregation of Emanuel of the city of Shreveport, Louisiana.

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 Corporations.

CONCURRENT RESOLUTIONS.

By Senator Stamps:

Resolved by the Senate of the State of Louisiana, the House of Representatives concurring, That the joint committee appointed to investigate charges against Senator West be authorized to employ a short-hand reporter.

Senator Stamps moved to suspend the Senate rules in order to take up the resolution at this time.

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

Yeas—Allain, Blunt, Brewster, Chadbourn, Dumont, George, Goode, Grover, Gla, Herwig, Ogden, Robertson, Stamps, Steven, Wharton, White—16.

Nays—Alexander, Breaux, Burch, Cage, Greene, Harper, Kelso, Masicot, Pollard, Twitchell, Weber, Whitney, Young—13.

Absent—Anderson, Blackburn, Detiege, Eustis, Kelly, Landry, Sypher—7.

And the Senate refused to suspend the rules.

The resolution accordingly lies over.

Senator Harper moved to suspend the rules in order to take up Senate bill No. 107, with a view to fixing the bill for a certain day.

Adopted.

Senate bill No. 107 was then taken up.

Senator Harper moved to recommit the bill.

Senator Alexander offered two amendments, which he desired to have read and referred to the committee along with the bill.

Senator Wharton made the point of order that, pending a motion to recommit, amendments are out of order.

The President ruled the point well taken.

The motion to recommit the bill to the Committee on Railroads was then adopted.

INTRODUCTION OF JOINT RESOLUTIONS.

By Senator Anderson:

Joint resolution No. 10, favoring the passage by Congress of the act granting aid for the construction of the Texas Pacific railroad and the Louisiana branches thereof, and indorsing the recommendations in relation thereto of the National Railroad Convention, held in the cities of St. Louis and Memphis.

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.

Senator Breaux, by unanimous consent, called up Senate bill No. 75, reported by the Committee on Land and Levees, as follows:

COMMITTEE ON CANALS, DRAINAGE AND INLAND NAVIGATION, February 9, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Canals, Drainage and Inland Navigation beg to report without action on Senate bill No. 75, entitled an act to remit the collection of State and parish taxes on lands situated in the parish of Pointe Coupee, and subject to yearly inundation from the Grand Levee crevasse.

Respectfully submitted.
WILLIAM HARPER, Chairman.
E. L. WHITNEY,
T. B. STAMPS.

Senator Breaux moved that the bill be considered engrossed.

Senator Young offered the following amendment:

"And the parish of Concordia."

Senator Weber made the point of order that the amendment is not germain to the subject matter of the bill.

The President ruled the point not well taken.

Senator Cage moved to lay the amendment on the table.

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

Yeas—Breaux, Cage, Goode, Grover, Kelso, Landry, Sypher, Weber, Wharton, White—10.

Nays—Anderson, Blunt, Burch, Chadbourn, Dumont, George, Greene, Harper, Ogden, Robertson, Steven, Twitchell, Young—13.

Absent—Alexander, Allain, Blackburn, Brewster, Detiege, Eustis, Gla, Herwig, Kelly, Masicot, Pollard, Stamps, Whitney—13.

And the motion to table was rejected.

On the call of Senator Breaux, 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, Allain, Anderson, Blunt, Breaux, Brewster, Burch, Cage, Chadbourn, Dumont, George, Goode, Gla, Harper, Herwig, Kelso, Masicot, Ogden, Robertson, Steven, Sypher, Weber, Wharton, White, Whitney—25.

Absent—Messrs. Blackburn, Detiege, Eustis, Greene, Grover, Kelly, Landry, Pollard, Stamps, Twitchell, Young—11.

Senator Wharton offered the following minority report upon the bill under consideration, and asked that it be received at this time:

COMMITTEE ON CANALS AND DRAINAGE, New Orleans, February 11, 1876.

To the Honorable President and Members of the Senate:

I respectfully submit the following minority report on Senate bill No. 75:

Add the words "and parish of Iberville" after the words "Pointe Coupee" in the title and in the first section of the bill.

Respectfully, W. W. WHARTON.

The question recurring upon the adoption of the amendment, Senator Goode offered the following substitute for the amendment:

Insert the parishes of St. Landry, St. Martin, St. Mary, Assumption and Terrebonne.

Senator Blunt offered the following, which was accepted by Senator Goode, in lieu of the substitute offered by him, viz:

In the first section strike out the words "Grand Levee;" in the second section strike out the words "Grand Levee," and insert "all lands in the State of Louisiana subject to overflow shall be relieved from taxation."

Senator Young moved the indefinite postponement of the whole subject matter, and called for the previous question.

On ordering the main question Senator Alexander called for the yeas and nays, with the following result:

Yeas—Alexander, Chadbourn, Dumont, Harper, Masicot, Pollard, Stamps, Twitchell, Whitney, Young—10.

Nays—Allain, Anderson, Blunt, Breaux, Brewster, Burch, George, Goode, Herwig, Kelso, Landry, Ogden, Robertson, Steven, Weber, Wharton, White—17.

Absent—Blackburn, Cage, Detiege, Eustis, Gla, Greene, Grover, Kelly, Sypher—9.

And the Senate refused to order the main question.

The question recurring upon the motion to indefinitely postpone, Senator Alexander called for the yeas and nays, with the following result:

Yeas—Alexander, Dumont, Harper, Kelso, Masicot, Pollard, Stamps, Twitchell, Whitney, Young—10.

Nays—Allain, Blunt, Breaux, Burch, Cage, George, Goode, Grover, Herwig, Landry, Ogden, Robertson, Steven, Sypher, Weber, Wharton, White—17.

Absent—Anderson, Blackburn, Brewster, Chadbourn, Detiege, Eustis, Gla, Greene, Kelly—9.

And the motion to indefinitely postpone was rejected.

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 11, 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 passage of the following House bills, to wit:

House bill No. 327, substitute for House bill No. 193, entitled an act to adjust, regulate and provide for the bonded debt of the city of New Orleans; to authorize the exchange of bonds of the city of New Orleans for other bonds to be issued on the plan known as the premium bond plan, etc.

House bills No. 320, entitled an act to amend and re-enact section ten of an act entitled an act supplementary to the acts incorporating the town of Thibodaux, etc.

And inform your honorable body that the Speaker of the House has signed joint resolution relative to stocking the waters of the State of Louisiana with fish.

Also, to inform your honorable body that the Speaker of the House has appointed the following named members on part of the House on joint committee to investigate charges against United States Senator West—Messrs. Elliott, Wiltz and Cousin.

And that the Speaker of the House has also appointed the following named members as the committee of conference on the part of the House in relation to Senate bill No. 108, entitled an act relative to the general election of the State of Louisiana—Messrs. Kidd, Jeffries, Elliott, Hahn and Sartain.

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

The question recurring on the substitute of Senator Blunt, Senator Wharton offered the following motion:

That the bill and pending amendments be referred to the Committee on Lands and Levees, with instructions to prepare and report within five days a bill exempting from State and parish taxes all lands subject to overflow by the Grand Levee and Bonnet Carre crevasses.

The motion was adopted, and the bill and amendments were referred to the Committee on Lands and Levees.

Senator Harper called up the report of the Committee on Corporations on Senate bill No. 112, as follows:

COMMITTEE ON CORPORATIONS AND PAROCHIAL AFFAIRS, February 8, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Corporations and Parochial Affairs report on Senate bill No. 112, an act to incorporate the St. James Methodist Episcopal Church Association of Shreveport, Louisiana, with the following amendment:

In line twenty-one, section two, strike out the word "otherwise."

M. H. TWITCHELL, Chairman.

On motion of Senator Harper the report was adopted.

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

On motion of Senator Harper, 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.

Senator Brewster called up the report of the Judiciary Committee on Senate joint resolution No. 7, reported favorably by said committee, Hon. E. L. Whitney dissenting, as follows: Senate joint resolution No. 7, instructing the Senators and requesting the Representatives of Louisiana in Congress to secure the passage by the national legislature of an act granting appropriate pensions to the veterans of the war with Mexico, their widows and minor orphans.

Senator Brewster moved that the majority report be adopted.

The yeas and nays were called by Senator Whitney, with the following result:

Yeas—Alexander, Allain, Anderson, Blunt, Breaux, Brewster, Burch, Cage, Chadbourn, Dumont, George, Goode, Gla, Grover, Harper, Herwig, Kelso, Ogden, Pollard, Robertson, Steven, Sypher, Twitchell, Weber, Wharton, White, Young—27.

Nay—Whitney—1.

Absent—Blackburn, Detiege, Eustis, Greene, Kelly, Landry, Masicot, Stamps—8.

And the majority report was adopted.

On motion of Senator Brewster the bill was considered engrossed.

On motion of Senator Brewster 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.

Senator Robertson moved to take up the reports of the committees lying over as they stand upon the calendar.

Adopted.

REPORTS OF COMMITTEES LYING OVER.

Senate bill No. 5, entitled an act relative to administrators and executors residing out of the State, reported unfavorably by the Committee on Judiciary, was read.

On motion of Senator White the report of the committee was adopted.

On motion of Senator White the bill was indefinitely postponed.

The report of the Committee on Corporations and Parochial Affairs on Senate bill No. 10, as follows, was taken up:

COMMITTEE ON CORPORATIONS AND PAROCHIAL AFFAIRS, January 26, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Corporations and Parochial Affairs have had under consideration Senate bill No. 10, an act to incorporate the town of Clinton, which they report favorably with amendments as follows, viz:

In line ten, section three, after the word "act," strike out lines ten, eleven, twelve and thirteen, ending with the word "Clinton."

In line three, section four, strike out all after the words "not to exceed," and insert "one per cent."

In line ten, section four, insert "not to exceed the State license."

In line fifteen, section four, strike out the word "fifty," and insert "twenty."

Strike out sections eight, nine and ten.

In line two, section eleven, strike out all after "incorporation," and insert "according to law."

Strike out section thirteen.

M. H. TWITCHELL, Chairman.

On motion of Senator Weber the report of the committee was adopted.

On motion of Senator Weber the bill was considered engrossed.

On motion of Senator Weber 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.

Action on the report of the Committee on Judiciary on Senate bill No. 21, as follows, an act to empower police juries to enact and enforce ordinances for the protection of game and fish, reported favorably, on motion of Senator Masicot, was postponed until a futurer day.

The report of the Committee on Judiciary on Senate bill No. 27, entitled an act to change the name of Benjamin Cohen Carillon to Benjamin Cohen Da Silva Abenator, reported unfavorably by said committee, was taken up.

On motion of Senator Whitney the report of the committee was adopted.

On motion of Senator Herwig the bill was recommitted.

The report of the Committee on Judiciary on Senate bill No. 48, entitled an act to provide for the trial of appeals in summary cases, reported unfavorably by said committee, was taken up.

On motion of Senator Harper action on the report was postponed.

The majority and minority reports of the Committee on Judiciary on Senate bill No. 69, entitled an act to repeal act No. 40 of 1869, entitled an act to provide for carrying into effect the one hundred and thirty-second article of the constitution of the State, and to repeal the same provision as embodied in the Revised Statutes, reported favorably by T. C. Anderson and E. D. White, and unfavorably by J. Henri Burch and Andrew Dumont, was taken up.

On motion of Senator Robertson both reports and bills were made the special order of the day for Tuesday next, at 1 P. M.

The report of the Committee on Judiciary on Senate bill No. 70, entitled an act to repeal act No. 51, acts of 1873, repealing and re-enacting sections 2180, 2187 and 2188 of the Revised Statutes of the State of Louisiana, and also to repeal and re-enact said sections 2180, 2187 and 2188, and also sections 2186, 2192 and 2198 of the Revised Statutes of Louisiana, reported unfavorably by said committee, was taken up, and on motion of Senator Burch action on said report was postponed.

The report of the Committee on Judiciary on Senate bill No. 79, entitled an act to amend and re-enact article 346 of the Civil Code of Louisiana, reported favorably by said committee, was taken up.

On motion of Senator Goode the report of the committee was adopted.

On motion of Senator Goode the bill was considered engrossed.

On motion of Senator Goode 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.

The majority and minority reports of the Committee on Finance on Senate joint resolution No. 3, entitled joint resolution appropriating $20,000 for the purpose of aiding and assisting the citizens of the parish of Terrebonne to clean out and make navigable Bayous Terrebonne and Little Caillou, in said parish of Terrebonne, and to provide for the manner of disbursing the same, reading as follows:

On Senate bill No. 3, a joint resolution appropriating $20,000 for the purpose of aiding and assisting the citizens of the parish of Terrebonne to clean out and navigate Bayou Terrebonne and Little Caillou in said parish of Terrebonne, and to provide for the manner of disbursing the same, report favorably.

I can not agree with the majority of the committe in recommending the passage of this joint resolution. Granting all that may be said as to the urgency of doing the work provided for, the present moment is, in my opinion, entirely inopportune. With judges unpaid; with the State flooded with claims of all kinds; with an embarrassed and impoverished treasury; with a people taxed beyond their ability to pay; with evils striking at the very foundation of society, I think an appropriation for any purpose of public improvement wrong.

EDWARD D. WHITE.

Was taken up.

Senator Cage moved to adopt the majority report.

Senator Burch made the point of order that the consideration of the minority report takes precedence.

The President ruled the point well taken.

On motion of Senator Burch the minority report was laid on the table.

Senator Burch moved that the majority report be adopted.

Upon the motion to adopt Senator Cage called for the previous question.

The main question was ordered.

On the motion to adopt, Senator Goode called for the yeas and nays, with the following result:

Yeas—Allain, Anderson, Breaux, Brewster, Burch, Cage, Chadbourn, Dumont, Goode, Gla, Grover, Harper, Kelso, Masicot, Pollard, Robertson, Stamps, Steven, Sypher, Twitchell, Weber, Wharton, Whitney, Young—24.

Nays—Blunt, George, Greene, White—4.

Absent—Alexander, Blackburn, Detiege, Eustis, Herwig, Kelly, Landry, Ogden—8.

And the report was adopted.

Senator Cage moved that the bill be considered engrossed, and called for the previous question.

The main question was ordered, and the bill was considered engrossed.

Senator Cage moved to suspend the constitutional rules in order to place the bill upon its third reading and final passage.

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

Yeas—Allain, Anderson, Breaux, Brewster, Burch, Cage, Chadbourn, Dumont, George, Goode, Gla, Grover, Harper, Herwig, Kelso, Masicot, Pollard, Robertson, Stamps, Steven, Sypher, Twitchell, Weber, Wharton, Whitney, Young—26.

Nays—Blunt, Greene, White—3.

Absent—Alexander, Blackburn, Detiege, Eustis, Kelly, Landry, Ogden—7.

And the rules were suspended by a four-fifths affirmative vote of the Senate.

Senator Cage moved the final passage of the bill.

Senator Whitney called for the previous question.

The main question was ordered.

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

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

Senator Stamps asked and obtained unanimous consent to introduce at this time Senate bill No. 142, entitled an act to provide for improving, paving, repairing, grading or regrading streets, or portions thereof, within the limits of the city of New Orleans, and to provide the mode of payment therefor, and to secure the same.

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 Railroads and Internal Improvements.

CONSIDERATION OF REPORTS OF COMMITTEES RESUMED.

The report of the Committee on Judiciary on Senate bill No. 87, entitled an act to repeal an act to authorize attorneys from other States to practice in the courts of this State, being act No. 201 of the session of 1868, approved on the thirty-first of October, 1868, reported on favorably by said committee, was taken up.

Senator White moved to adopt the report of the committee.

On motion of Senator Burch, the further consideration of the report was postponed until Wednesday next, at 1 P. M.

The report of the Committee on Judiciary on Senate bill No. 88, entitled an act to repeal an act entitled an act to provide for the carrying into effect the one hundred and thirty-second article of the constitution of the State, approved February 24, 1869, being No. 40 of the acts of 1869, reported favorably by T. C. Anderson and E. D. White, and unfavorably by J. Henri Burch and A. Dumont, was taken up.

On motion of Senator Robertson, both reports and bill were made the special order of the day for Tuesday, at 1 P. M.

The report of the Committee on Finance on Senate bill No. 96, entitled an act to postpone the forced collection of back taxes, and authorising the payment of same within time specified in the legal obligations of the State, city or parish, and under certain circumstances remitting all costs and penalties, reported favorably, was taken up.

Senator Wharton moved to adopt the report of the committee.

Senator Robertson moved to postpone the further consideration of the bill at this time, and make it the special order of the day for Wednesday next, at 2 P. M.

Senator Wharton moved to lay that motion on the table.

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

Yeas—Burch, Cage, Chadbourn, Greene, Pollard, Stamps, Sypher, Twitchell, Wharton, Whitney, Young—11.

Nays—Allain, Anderson, Blunt, Breaux, Brewster, Dumont, Goode, Gla, Grover, Kelso, Landry, Masicot, Ogden, Robertson, Steven, Weber, White—17.

Absent—Alexander, Blackburn, Detiege, Eustis, George, Harper, Herwig, Kelly—8.

Senator Grover moved to recommit the bill, and called for the previous question.

The main question was ordered, and the motion to recommit was adopted.

The bill was recommitted to the Committee on Finance.

The report of the Committee on Judiciary, on Senate joint resolution No. 2, entitled joint resolution submitting an amendment to the constitution of the State, to the effect that article 132 of the constitution shall be abrogated and stricken out, reported favorably by T. C. Anderson and E. D. White, and unfavorably by J. Henri Burch and A. Dumont, was taken up.

The report and bill were made the special order of the day for Tuesday next, at 1 P. M.

The report of the Committee on Claims on Senate bill No. 95, entitled an act for the relief of William R. White, reported back without action, was taken up.

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.

The bill was read the third time.

Senator Sypher moved the final passage of the bill.

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

Yeas—Anderson, Brewster, Burch, Cage, Chadbourn, Goode, Gla, Greene, Grover, Harper, Herwig, Masicot, Ogden, Pollard, Robertson, Stamps, Steven, Sypher, Weber, Wharton, Whitney, Young—22.

Nays—Blunt, Breaux, Landry, Twitchell—4.

Absent—Alexander, Allain, Blackburn, Detiege, Dumont, Eustis, George, Kelso, Kelly, White—10.

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

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

Senator Harper asked and obtained unanimous consent to introduce, at this time, Senate bill No. 143, entitled an act to incorporate the Congregation Emanuel, of the city of Shreveport, Louisiana.

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 Corporations.

Senator Masicot asked and obtained unanimous consent to introduce at this time Senate bill No. 144, entitled an act to repeal section twelve of an act entitled an act to change the name of the town of Brashear to Morgan City, and re-enact an act entitled an act to incorporate the town of Brashear, in the parish of St. Mary, approved April 27, 1871, approved February 8, 1876.

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.

CONSIDERATION OF REPORTS OF COMMITTEES RESUMED.

The report of the Committee on Claims on Senate bill No. 102, entitled an act for the relief of Mrs. M. I. Lewis, of Monroe, in the parish of Ouachita, reported back without action, was taken up.

On motion of Senator Robertson the report and bill were referred to the Committee on Finance.

The report of the Committee on Claims on Senate bill No. 22, entitled an act for the relief of Theodore Valade, of St. Landry parish, authorizing and directing the Auditor to issue warrants for $4000 in payment for services of the steamboat Mattie Gilmore, rendered in the overflowed districts of the Attakapas in 1867, reported back without action.

On motion of Senator Robertson the report and bill were referred to the Committee on Finance.

The report of the Committee on Claims on Senate bill No. 42, entitled an act for the relief of John B. Beattie, of the parish of Orleans, reported unfavorably, was taken up.

On motion of Senator Robertson the report was adopted, and the bill indefinitely postponed.

The report of the Committee on Claims on Senate bill No. 73, entitled an act for the relief of R. Prosper Landry, of the parish of Ascension, reported unfavorably, was taken up.

The report was recommitted to the Committee on Claims.

The report of the Committee on Claims on Senate bill No. 104, entitled an act for the relief of Thomas O'Malley, of the parish of Ascension, to pay him for constructing levees in the parish of Ascension, and providing a means of paying and funding the same, reported unfavorably, was taken up.

On motion of Senator Robertson the report was adopted.

On motion of Senator Robertson the bill was indefinitely postponed.

The report of the Committee on Claims on Senate joint resolution No. 9, entitled joint resolution for the relief of Marianne Genereusse Beauclair, wife of Francois J. C. Monnin, and Louis Cayer, authorizing them to enter certain lands in the parish of Avoyelles, purchased by them, reported unfavorably, was taken up.

On motion of Senator Wharton the report was adopted.

On motion of Senator Wharton the joint resolution was indefinitely postponed.

The report of the Committee on Health and Quarantine on Senate bill No. 47, session of 1875, entitled an act to provide a place for the burial of indigent persons dying within certain limits of the city of New Orleans, to provide for the payment of the same, and for other purposes, reported unfavorably, was taken up.

Senator Blunt moved the adoption of the report.

Adopted.

On motion of Senator Robertson, the report was indefinitely postponed.

The report of the Committee on Railroads on Senate bill No. 99, entitled an act to amend and re-enact section one of an act entitled an act to incorporate the Vidalia, Red River and Texas Railroad Company, reported favorably, was taken up.

On motion of Senator White the report of the committee was adopted.

On motion of Senator Wharton the bill was considered engrossed.

On motion of Senator Whitney 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.

The report of the committee on Agriculture, Commerce and Manufactures on Senate bill No. 18, entitled an act to incorparte the Mercantile Insurance Warehouse and Loan Company of New Orleans, reported unfavorably, was taken up.

On motion of Senator Wharton the report of the committee was adopted.

On motion of Senator Wharton the bill was indefinitely postponed.

The report of the Committee on Judiciary on House bill No. 31, as follows: An act to legitimate Louise Celina Duvigneaud, Joseph Duvigneaud, Joseph Gaston Duvigneaud, Marie Therese Julia Duvigneaud, Louise Duvigneaud, Pierre Duvigneaud and Marie Julia Odette Duvigneaud, children of Joseph Duvigneaud and his wife, Marie Julia Freid, reported favorably, was taken up.

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

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 notice of concurrence ordered sent to the House.

The report of the Committee on Judiciary on Senate joint resolution No. 6, entitled joint resolution instructing the Senators and requesting the Representatives of Louisiana in Congress to secure, if possible, the passage of an act by the national legislature appropriating the proceeds of the cotton tax collected in the States of Missouri, Tennessee, Arkansas, Mississippi and Louisiana to the construction and repair of a system of levees upon the Mississippi river and its tributaries, to be constructed and maintained under national supervision and control, reported favorably (Hon. E. D. White dissenting), was taken up.

On motion of Senator Brewster the joint resolution was considered engrossed.

On motion of Senator Brewster the constitutional rules were suspended by a four fifths affirmative vote of the Senate, and the joint resolution was placed on its third reading.

On the final passage of the joint resolution the yeas and nays were demanded by Senator Blunt, resulting as follows:

Yeas—Brewster, Burch, Cage, Chadbourn, Dumont, Goode, Herwig, Kelso, Masicot, Pollard, Robertson, Stamps, Sypher, Weber, Wharton, Whitney, Young—17.

Nays—Blunt, Harper, Ogden, Steven, Twitchell, White—6.

Absent—Alexander, Allain, Anderson, Blackburn, Breaux, Detiege, Eustis, George, Gla, Greene, Grover, Kelly, Landry—13.

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

The report of the Committee on Judiciary on House bill No. 208, entitled an act to change the name of Caroline Vallee to Caroline Nott, reported unfavorably, was taken up.

On motion of Senator Masicot the bill was recommitted to the Committee on Judiciary.

The report of the Committee on Judiciary on House bill No. 177, entitled an act relative to the day of demand, payment and protest of promissory notes, bills of exchange and commercial paper maturing on holidays, reported favorably, was taken up.

On motion of Senator White the report of the committee was adopted.

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

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 its was ordered to be sent to the House for concurrence.