New Orleans Republican.
OFFICIAL JOURNAL OF THE UNITED STATES
OFFICIAL JOURNAL OF NEW ORLEANS
OFFICIAL JOURNAL
OF THE
FIFTH GENERAL ASSEMBLY
OF THE
STATE OF LOUISIANA.

SENATE.

Forty-first Day's Session.

SENATE CHAMBER, New Orleans, February 24, 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, Breaux, Brewster, Burch, Chadbourn, Deteige, Dumont, George, Grover, Goode, Gla, Greene, Kelso, Kelly, Masicot, Ogden, Pollard, Robertson, Stevens, Sypher, Twitchell, Weber, Wharton, Whitney—25.

Absent—Messrs. Allain, Anderson, Cage, Eustis, Grover, Harper, Herwig, Landry, Stamps, White, Young—11.

Prayer was offered by the Rev. Mr. Bryant.

The journal was read, corrected and approved.

SPECIAL ORDER OF THE DAY.

The special order of the day for immediately after the reading of the journal, House bill No. 231, an act to define and regulate the lien, privilege and mortgage upon the property resulting from the non-payment of taxes, was called.

Senator Detiege moved that the bill be adopted on its second reading.

Adopted.

On motion of Senator Detiege the bill was postponed and made the special order for to-morrow, immediately after the reading of the journal.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, New Orleans, February 24, 1876.

To the Honorable President and Members of the Senate:

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

House bill No. 170, entitled an act to increase the criminal jurisdiction of justices of the peace in several parishes throughout the State, the parish of Orleans excepted.

House bill No. 191, an act regulating the disbursement of the general fund in the State treasury.

House bill No. 200, an act for the protection of physicians.

House bill No. 224, an act to fix the salary of the Adjutant and Inspector General of the State of Louisiana.

House bill No. 249, an act to incorporate the New Orleans and Milneburg Railway Company.

House bill No. 293, an act to limit the expenditures of the several parishes and municipal corporations of this State within their annual revenues, etc.

House bill No. 302, an act to repeal all the sections from section sixteen to twenty-eight inclusive, of an act entitled an act to incorporate the Alexandria, Homer and Fulton Railroad Company.

House bill No. 307, an act to incorporate the Security Savings Bank.

House bill No. 308, an act requiring the Auditor of Public Accounts of the State of Louisiana to issue warrants on the State Treasurer in favor of the constitutional officers of the State, etc.

House bill No. 478, an act to fix the time of holding the regular term of the Ninth Judicial District Court in and for the parish of Vernon.

House bill No. 479, joint resolution to instruct our Senators and request our Representatives to introduce a bill in Congress for the purpose of making a suitable appropriation for building and maintaining a marine hospital in Morgan City, parish of St. Mary.

And also ask to your honorable body the return of House bill No. 340, without action, for reconsideration.

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

Act to amend and re-enact section 3410 of the Revised Statutes.

Act to amend and re-enact an act relative to the organization of the board of police in and for the town of Opelousas, passed March 15, 1866.

Act for the relief of the minor heirs of E. C. Hart, deceased, late of the parish of Caddo; to reduce their tax assessment of 1873 and 1874, and to remit penalties.

An act to amend and re-enact article 575 of the Code of Practice.

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

SPECIAL ORDER OF THE DAY.

The special order of the day was called, being Senate bill No. 168 (substitute for Senate bill No. 75), entitled an act to exempt from State and parish taxes lands overflowed by the Grand Levee and Bonnet Carre crevasses.

The bill being upon its third reading, Senator Chadbourn moved that the bill finally pass.

Senator Twitchell moved to lay the bill on the table subject to call.

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

Yeas—Alexander, Blackburn, Brewster, Blunt, Burch, Cage, George, Greene, Harper, Kelso, Kelly, Masicot, Pollard, Sypher, Twitchell, Whitney—16.

Nays—Allain, Anderson, Breaux, Chadbourn, Detiege, Eustis, Goode, Gla, Grover, Herwig, Ogden, Robertson, Stamps, Steven, Weber, Wharton, White, Young—18.

Absent—Dumont, Landry—2.

And the motion to table subject to was rejected.

The question recurring on the final passage of the bill, Senator Blunt called for the yeas and nays, with the following result:

Yeas—Allain, Anderson, Breaux, Burch, Cage, Chadbourn, Detiege, Dumont, Eustis, Goode, Gla, Grover, Herwig, Kelly, Landry, Ogden, Robertson, Stamps, Steven, Sypher, Weber, Wharton, White, Young—24.

Nays—Alexander, Blackburn, Blunt, Brewster, George, Greene, Kelso, Masicot, Pollard, Twitchell, Whitney—11.

Absent—Harper—1.

And the bill finally passed.

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

REPORTS OF COMMITTEES.

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

COMMITTEE ON JUDICIARY, New Orleans, February 24, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Judiciary respectfully report Senate bill No. 184 favorably, an act to define and extend the limits of the Second Judicial District, to fix the terms of court therein, and to define and extend the jurisdiction of the Second Judicial District Court for the Sixth and Seventh Municipal Districts of the parish of Orleans; to provide for a clerk of said court and his compensation and term of office, and to provide for the drawing of jurors for said court (E. D. White dissenting).

On Senate bill No. 173 favorably, an act for the better management of the Poydras fund in the parish of Pointe Coupee, and to repeal all exemption homestead laws or privilege claim against the Poydras fund.

On Senate bill No. 161 unfavorably, an act to regulate the rate of conventional interest and the mode of contracting the same.

On Senate bill No. 158, favorably, an act to provide for the working of public roads and bridges in the parish of West Baton Rouge; to employ the police jury of said parish to pass rules and regulations relative thereto, and to provide for the enforcement of same by criminal prosecution.

On House bill No. 244, an act to repeal act No. 47 of 1873, entitled an act to enforce the payment of taxes due the State, providing for the seizure and sale of the property of delinquent taxpayers, and regulating the proceedings against them and their property and tenants, approved March 14, 1873. Report by substitute, an act to amend and re-enact sections one, three and six of an act entitled an act to enforce the payment of taxes due the State, providing for seizure and sale of property of delinquent taxpayers, and regulating the proceedings against them and their property and tenants, approved March 14, 1873, and to re-enact section eight of the said act.

On Senate bill No. 114, a bill proposing an amendment to the constitution of the State, report by substitute, an act to amend the constitution of the State of Louisiana.

T. C. ANDERSON,
Chairman;
W. JASPER BLACKBURN,
E. L. WHITNEY,
A. DUMONT,
E. D. WHITE,
J. H. BURCH.

The report lies over.

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

COMMITTEE ON FINANCE, New Orleans, February 24, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Finance having had under consideration House bill No. 69, an act for the relief of the Calcasieu Sulphur Mining Company of Louisiana, report the same favorably, with amendments, and recommend its passage.

Also, House bill No. 162, an act for the relief of Seventh Street Orphans' Home of New Orleans, report the same favorably and recommend its passage.

A. J. SYPHER, Chairman.

The report lies over.

Senator Stamps, from the Committee on Claims, made the following report:

COMMITTEE ON CLAIMS, New Orleans, February 24, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Claims report favorably on the following bills, viz:

House bill No. 120, to reimburse I. H. Marshall, of the parish of Avoyelles, for money erroneously paid into the State treasury, as State taxes upon property not owned by him and making an appropriation of $250 for the same.

Senate bill No. 170, to require the city of Monroe to pay the parish of Ouachita one-third of certain expenses.

Respectfully,
T. B. STAMPS, Chairman.

The report lies over.

Senator Weber, from the Committee on Health and Quarantine, made the following reports:

COMMITTEE ON HEALTH AND QUARANTINE, New Orleans, February 24, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Health and Quarantine having had under consideration Senate bill No. 156, an act to provide for burying the indigent dead in the city of New Orleans, beg leave to report the same favorably.

Respectfully submitted,
E. L. WEBER, Chairman;
EMILE DETIEGE,
A. DUMONT,
J. R. ALEXANDER.

COMMITTEE ON HEALTH AND QUARANTINE, New Orleans, February 25, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Health and Quarantine having had under consideration Senate bill No. 175, entitled an act to reduce and equalize, and to provide for the fees, dues and charges to be paid by vessels entering the ports of Louisiana, for the expenses of examination, inspection, cleansing and fumigation and quarantine, beg leave to report by substitute, and recommend that the same do pass.

Respectfully submitted,
E. L. WEBER, Chairman;
EDWARD D. WHITE,
WILLIAM J. KELLY,
W. A. ROBERTSON,
A. DUMONT.

Senators White and Kelly gave notice that they would submit a minority report from the Committee on Health and Quarantine on Senate bill No. 156.

Senator Dumont, from the Committee on Metropolitan Police, made the following report:

COMMITTEE ON METROPOLITAN POLICE, New Orleans, February 24, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Metropolitan Police respectfully report House bill No. 89, an act to organize the police, city of New Orleans, and to create a police board therein, and limiting the cost of the same, without action.

Also, report without action, House bill No. 250, an act to take the parish of Jefferson out of the Metropolitan Police District.

Also, report without action House bill No. 207, an act to repeal sections fourteen and fifteen of act No. 16, approved March 24, 1875, entitled an act to enforce the payment by the city of New Orleans and the several cities and parishes of the Metropolitan Police District of the apportionment made upon them by the Board of Metropolitan Police; to empower the said board in certain cases to negotiate a loan; to pledge the taxes levied for police purposes as security, and to collect the said taxes in certain cases; prescribing certain penalties for a violation of this act; providing additional duties for the treasurer of the board; appropriating $135,000 to compensate the members of the Metropolitan Police for services rendered to the State and expenses incurred therefor by the board, and adding to the salaries of certain officers, and to reimburse the State for said appropriations, and to direct the manner of payment of salaries of certain officers and employes of the police when on detailed duty, and to change the fiscal agency.

Respectfully submitted,
A. DUMONT, Chairman.

The report lies over.

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

COMMITTEE ON CORPORATIONS AND Parochial Affairs, February 24, 1876.

To the Honorable President and Members of the Senate:

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

Senate bill No. 177, an act to authorize the Governor to appoint a road master, who shall establish toll gates and collect toll on certain roads in the parish of Plaquemines.

Also, House bill No. 195, an act to amend article two of an act to incorporate the Citizens' Savings Bank.

Also, House bill No. 370, an act to incorporate the town of Delta in the parish of Madison.

Also, House bill No. 49, an act to amend and re-enact an act to incorporate the New Orleans Mechanics' Society.

Also, House bill No. 317, an act to incorporate the Protector Fire Company No. 2, of the town of Thibodaux, parish of Lafourche, with the following amendment: In line nineteen, section one, strike out the words "or otherwise."

Your committee also report unfavorably on the following bills:

Senate bill No. 144, an act to repeal an act to change the name of the town of Brashear to Morgan City, etc.

Also, House bill No. 66, an act to incorporate the town of St. Martinsville, parish of St. Martin.

M. H. TWITCHELL, Chairman.

COMMITTEE ON CORPORATIONS AND Parochial Affairs, February 24, 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. 203, an act to incorporate the town of Ouachita, in the parish of Union.

Also, House bill No. 38, an act to incorporate the Factors Warehouse Bank.

Also, House bill No. 278½, an act to incorporate the town of Arcadia, in the parish of Bienville, with the following amendment: In section six, beginning with the word "who," in line eleven, strike out all to and including the word "and" in line thirteen.

Also, House bill No. 310, an act to incorporate the town of Amite City, in the parish of Tangipahoa, to define its limits, to provide for the election of mayor and councilmen, to prescribe their duties and powers and to provide for the government of the same.

M. H. TWITCHELL, Chairman.

Senator Chadbourn, from the Committee on Public Lands and Levees, made the following report:

COMMITTEE ON PUBLIC LANDS AND LEVEES, New Orleans, February 24, 1876.

To the Honorable President and Members of the Senate:

I am directed by the Committee on Lands and Levees to report favorably on Senate bill No. 176.

Respectfully,
R. H. CHADBOURN, Chairman.

The report lies over.

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

COMMITTEE ON RAILROADS, New Orleans, February 23, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Railroads, having had under consideration Senate bill No. 174, entitled an act to amend sections one, two, three, four and five of an act to grant additional privileges to the Clinton and Port Hudson Railroad Company, approved March 18, 1858, beg leave to report the same favorably, and ask that it do pass.

Respectfully submitted,
W. W. WHARTON, Chairman;
T. A. CAGE,
R. H. CHADBOURN,
E. F. HERWIG,
J. H. GROVER.

The report lies over.

NOTICES OF BILLS.

Senator Twitchell gave notice that at some future day he would offer an amendment to rule nine.

SPECIAL ORDER OF THE DAY.

The special order of the day was called, being House bill No. 158, entitled an act to provide an annual pension for the surviving veterans of the war of 1812 to 1815, who participated in the seige or battle of New Orleans in December, 1814, and January, 1815, as well as for the surviving widows of such veterans; to fix and determine the mode and cost of ascertaining who shall receive such pension, and to repeal all other laws hitherto enacted on the same subject matter, was taken up.

On motion of Senator Blunt the bill was taken up section by section.

The first section was read.

Senator Alexander offered the following amendment.

In line nine, after 1815, strike out all until the figures 1814, and insert the words "who was."

Senator George offered the following amendment to the amendment:

Provided he or she shall be poor or in necessitous circumstances.

On motion of Senator Blackburn the amendment offered by Senator George was laid on the table.

Senator Landry moved to lay Senator Alexander's motion on the table.

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

Yeas—Allain, Anderson, Burch, Cage, Detiege, George, Goode, Gla, Greene, Grover, Herwig, Kelly, Landry, Ogden, Pollard, Robertson, Stamps, Steven, Weber, Wharton, White—21.

Nays—Alexander, Blackburn, Blunt, Chadbourn, Harper, Sypher, Twitchell—7.

Absent—Breaux, Brewster, Dumont, Eustis, Kelso, Masicot, Whitney, Young—8.

And the amendment was laid on the table.

Senator Landry moved that the first section be adopted.

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

Yeas—Allain, Anderson, Blackburn, Breaux, Brewster, Burch, Cage, Chadbourn, Dumont, George, Goode, Greene, Grover, Harper, Kelly, Landry, Ogden, Pollard, Robertson, Stamps, Steven, Sypher, Twitchell, Weber, Wharton, White, Whitney, Young—28.

Nays—Alexander, Blunt—2.

Absent—Detiege, Eustis, Gla, Herwig, Kelso, Masicot—6.

And the first section was adopted.

The second section was read.

Senator Wharton moved to strike out the entire section.

Senator Blackburn offered the following substitute to the motion:

SEC. 2. That all such veterans, who now draw such pensions, shall be deemed and considered to be entitled to receive the benefits of this act, and their names shall be inscribed on a pension list to be kept and prepared by the Auditor of Public Accounts, without being necessitated to adduce any further evidence of such service.

On motion of Senator Alexander the substitute was laid on the table.

The question recurring on the motion to strike out the second section, the motion to strike out was adopted.

Section three was read.

Senator White offered the following amendment to lines seven and thirty-three:

After 1815, then and now a citizen or resident of this State.

Senator Wharton offered the following substitute:

Being a resident then and a citizen now of this State.

Senator Blackburn moved to lay both amendment and substitute on the table.

The motion was lost.

The question recurring upon the substitute, it was adopted.

Section three became section two, and as amended was adopted.

Section four was read.

Senator Wharton moved to amend by striking out in line thirteen the word "three," and insert "two."

Adopted.

Senator Goode moved to amend section twenty-five by striking out "and" and inserting "or."

Adopted.

Section four became section three, and as amended was adopted.

Section five was read.

Senator Wharton moved to amend by striking out "add" and inserting "place," and by striking out "to" and inserting "on" in line twenty-five and by striking out "second section of," in lines twenty-seven and twenty-eight.

Adopted.

Section five became section four, and as amended was adpoted.

Section six was read.

Senator Wharton moved to amend by striking out "$5," and inserting "$2" in line five.

Senator Robertson moved as a substitute to strike out "more than $5," and insert "anything."

Adopted.

Section six became section five, and as amended was adopted.

Section seven was read.

Senator Robertson offered the following amendment to section seven:

"Or his or her order certified to by the clerk of the district court for the parish in which the applicant resides."

Adopted.

Section seven became section six and as amended was adopted.

Senator White offered the following additional section:

SEC. 7. That the whole amount to be expended under this act shall not exceed $10,000 annually, which if inadequate to pay all pensioners proving up their claims as above provided shall be ratably distributed among them.

The section was adopted and became section seven.

Section eight was read and adopted.

Senator Young moved to adopt the bill as amended as a whole.

Adopted.

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

On motion of Senator Landry 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 in the amendments.

UNFINISHED BUSINESS.

The subject matter pending when the Senate adjourned was the engrossment of Senate joint resolution No. 4, entitled joint resolution declaring the lease of the State Penitentiary forfeited, instructing the Attorney General to enforce the provisions of act No. 22, approved March 31, 1875, granting certain powers to the Governor, and for other purposes.

Senator Twitchell moved that the joint resolution be considered engrossed.

Senator Ogden offered the following amendment:

Strike out "be it resolved," and insert "that the Attorney General be instructed to institute legal proceedings to have the lease of the State Penitentiary declared forfeited, null and void."

Senator Twitchell moved to lay the amendment on the table.

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

Yeas—Anderson, Blunt, Breaux, Cage, Chadbourn, Gla, Greene, Harper, Herwig, Kelso, Masicot, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney—18.

Nays—Blackburn, Burch, Detiege, Dumont, Eustis, George, Goode, Grover, Kelly, Ogden, Robertson, Steven, White—13.

Absent—Alexander, Allain, Brewster, Landry, Young—5.

And the amendment was laid on the table.

The question recurring upon the motion to consider the bill engrossed, the motion was adopted.

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

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

Present — Messrs. Anderson, Breaux Blunt, Cage, Chadbourn, Detiege, Dumont, Eustis, George, Goode, Greene, Grover, Harper, Herwig, Kelso, Kelly, Landry, Ogden, Robertson, Stamps, Steven, Sypher, Twitchell, Weber, White, Whitney, Young—27.

Absent—Messrs. Alexander, Allain, Blackburn, Brewster, Burch, Gla, Masicot, Pollard, Wharton—9.

INTRODUCTION OF RESOLUTIONS BY UNANIMOUS CONSENT.

Senator Grover asked and obtained unanimous consent to introduce the following resolution:

WHEREAS, There are reasons for believing that the interests of the State of Louisiana and the city of New Orleans in the New Orleans, Jackson and Great Northern Railroad Company have been taken away from them by apparently fraudulent and illegal proceedings; and

Whereas, Said railroad is likely to pass into hands antagonistic to the commercial interests of the city and port of New Orleans, and to the welfare of the State generally; be it therefore

Resolved, That a committee of three be appointed by the chair to investigate the manner, form and circumstances under which the State of Louisiana and city of New Orleans, whether as bondholders or stockholders, were divested of their interest in said railroad; and be it further

Resolved, That said committee have power to act during the time intervening between the present session and the next meeting of the General Assembly of the State of Louisiana, and that they have power to send for persons and papers, and to administer oaths; also to employ one expert, if deemed necessary, at a cost not exceeding $—; be it further

Resolved, That the Attorney General of the State, in conjunction with the attorney of the city of New Orleans, be authorized and instructed to take immediate action before the proper courts to cancel, set aside and annul all transfers of bonds, stock or other rights of the State of Louisiana and city of New Orleans; be it further

Resolved, That said committee shall act in concert with said Attorney General and city attorney in their effort to accomplish the end contemplated by these resolutions.

The resolution was adopted.

Senator Burch asked and obtained unanimous consent to introduce the following resolution:

WHEREAS, There are a large number of bills now before the Senate, and the end of the present session is fast approaching, and it being necessary that many important bills should become laws; be it

Resolved, That the President of the Senate do appoint a committee to consist of two from the city and five from the State at large, before whom all bills not acted on shall be referred, and who shall examine the same and report back to the Senate, in order that the Senate can act thereon.

Lies over.

ACTION ON THE REPORTS OF COMMITTEES LYING OVER.

Senator Twitchell called up the report of the Committee on Corporations on Senate bill No. 167, entitled an act limiting the liability of the several parishes of the State of Louisiana to their respective sheriffs, for costs in criminal cases, parish of Orleans excepted, reported favorably by said committee.

On motion of Senator Twitchell the report was adopted.

On motion of Senator Twitchell the bill was considered engrossed.

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

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

Yeas—Detiege, Eustis, George, Goode, Grover, Herwig, Kelly, Ogden, Robertson, Stamps, Steven, Twitchell, Weber, White—14.

Nays — Alexander, Allain, Anderson, Brewster, Burch, Cage, Chadbourn, Dumont, Greene, Harper, Kelso, Landry, Sypher, Whitney, Young—15.

Absent—Blackburn, Blunt, Breaux, Gla, Masicot, Pollard, Wharton—7.

And the Senate refused to suspend the rules.

MESSAGE FROM THE HOUSE.

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

HOUSE OF REPRESENTATIVES, New Orleans, February 24, 1876.

To the Honorable President and Members of the Senate:

I am directed by the House of Representatives to ask the concurrence of your honorable body in the passage of the following House bill:

House bill No. 281, 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, etc.

PETER J. TREZEVANT,
Chief Clerk.

Senator Grover asked unanimous consent to take up House bill No. 340, entitled an act to authorize, with the consent of a popular vote, a special tax on property in New Orleans to pay for stock in the New Orleans Pacific Railway Company; to provide for the submission of the question at a special election; to provide for the securing and collection of the tax, if voted; to impose certain duties on the State officers and to punish violations of this act; to authorize the issue of tax stocks, and to provide a remedy by mandamus to enforce official duty under this act.

Senator White objected.

Senator Grover moved to suspend the Senate rules in order to take up the bill.

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

Yeas—Alexander, Allain, Anderson, Brewster, Burch, George, Goode, Gla, Greene, Grover, Harper, Herwig, Landry, Sypher, Twitchell, Weber, Whitney—17.

Nays—Blunt, Cage, Chadbourn, Detiege, Dumont, Eustis, Kelly, Masicot, Ogden, Robertson, Stamps, Steven, White, Young—14

Absent—Blackburn, Breaux, Kelso, Pollard, Wharton—5.

And the rules were not suspended.

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 24, 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 Speaker has signed House enrolled bill:

An act to amend the act incorporating the town of Homer, etc.

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

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

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

P. E. BECHTEL,
Secretary of the Senate.

HOUSE OF REPRESENTATIVES.

Forty-second Day's Proceedings.

HOUSE OF REPRESENTATIVES, New Orleans, February 24, 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, Armstead, Booth, Byrne, Burkhardt, Bayley, Bower, Butler, Baker, Beasley, Billiu, Collins, Cousin, Carloss, Dupre, DeBlanc, Dugas, Durr, Davidson, Dewees, Demas, Delhommer, Dunn, Edwards of Tangipahoa, Edwards of Richland, Grant, Gilmore, Hill of Ascension, Hahn, Hill of Ouachita, Hammond, Jeffries, Jourdain, Johnson of Caddo, Johnson of Lafourche, Jones of Lincoln, Jones of Pointe Coupee, Koontz, Kummel, Keeting, Kelly, Keyes, Kidd, Lane, Luckett, Lowell, Levisee, Lafargue, Maginnis, Meredith, Mitchell, Mathews of Franklin, Martin, Murrell, Milon, Mathews of Tensas, McAlpine, Magee, Pascal, Piles, Pipes, Roman, Richardson, Randall, Ridgely, Ray, Raby, Smith, Sutton, Self, Snaer, Sartain, Seeman, Schenck, Stewart, Scales, Schuler, Thomas, Voorhies, Vidrine, Walker, Wiltz, Wilson, Woods of Ouachita, Woods of West Baton Rouge, Wells, Webb, Yorke, Young—90.

On motion of Mr. Ray the reading of the minutes was dispensed with and their further consideration postponed till to-morrow.

On motion of the same member the minutes of Monday were adopted as corrected.

MEMORIALS.

Mr. Elliott asked and obtained leave to withdraw the memorial of the widow and heirs of John Laidlaw, and accompanying documents, referred to the Committee on Claims.

Mr. Hall moved a reconsideration of the vote by which the rule, adopted on the twenty-third of February, preventing the introduction of bills on the three last days of the session, passed.

The vote was reconsidered and the report of the committee was ordered to lie upon the table, subject to call.

Mr. Murrell called up resolution introduced by him on yesterday in relation to reports of committees.

On motion of Mr. Mitchell Mr. Murrell's resolution was ordered to lie on the table.

Mr. Seeman submitted the petition of John W. Madden, praying for relief, which was ordered to be referred to the Committee on Claims.

Mr. Ridgely submitted a resolution, which was ordered to be referred to the Committee on Lands and Levees:

NOTICE OF BILL.

Mr. Byrne gave notice that at some future day he would introduce an act making it the duty of the State Treasurer to post in a conspicuous place in his office a daily statement of cash on hand, together with the cash receipts and disbursements.

REPORTS OF STANDING COMMITTEES.

Mr. Young, on behalf of the Committee on the Judiciary, submitted the following report:

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

I am directed by the Judiciary Committee to submit the following report:

Favorably upon the following bills.

Senate bill No. 62, entitled an act to amend and re-enact article 3042 of the Revised Civil Code.

Senate bill No. 145, an act to provide for the transfer of suits pending in the parish or district courts of this State, in which the presiding judge is recused, to the parish court of an adjoining parish, or to the District court of an adjoining district.

Senate bill No. 79, an act to amend and re-enact article 346 of the Civil Code.

House bill No. 441, joint resolution memorializing Congress to order a survey and report the condition of the Bonnet Carre crevasse, and to appropriate a sufficient sum for the purpose.

Favorably, with amendments on the following bill:

House bill No. 75, an act to provide an official arbitrator of the port of New Orleans.

Amend—In section six, after the word "clerk," in line six insert "and when the amount in dispute does not exceed $100, one-half of the said sum shall be deposited."

JOHN YOUNG, Chairman.

Mr. Young, from the Judiciary Committee, to whom was referred House bill No. 398, entitled an act relative to clerks' and sheriffs' fees; to transcript of appeals, and to repeal inconsistent, submitted the following report:

COMMITTEE ON JUDICIARY, New Orleans, February 24, 1876.

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

Your Committee on Judiciary be leave to offer the following report:

On House bill No. 398, by Mr. Walker, of Orleans, favorably, with amendment, and recommend the passage of the bill.

Respectfully,
JOHN YOUNG, Chairman;
B. C. ELLIOTT,
CHARLES W. LOWELL,
M. HAHN,
W. B. KOONTZ,
JOHN S. BILLIU,
JAMES S. MATTHEWS,
BOLIVAR EDWARDS.

On motion of Mr. Walker this bill, with the amendments of the committee, were made the special order of the day for to-morrow, immediately after the reading of the minutes.

Mr. Aldige, on behalf of the Committee on Banks and Banking, to whom was referred House bill No. 377, entitled an act to regulate the rate of conventional interest and the mode of contracting the same, submitted a favorable report.

Mr. Meredith, on behalf of the Committee on Corporations, submitted the following report:

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

I am instructed by a majority of the Committee on Corporations to make the following report:

Favorably, with amendments, on House bill No. 445, entitled an act to enroll the charter of the Charles Morgan Hook and Ladder Company No. 1, of Morgan City, in the parish of St. Mary, State of Louisiana, and recommend its passage.

Favorably, with amendments, on House bill No. 413, entitled an act to enroll the charter of Washington Steam Fire Engine Company No. 1, of the city of Baton Rouge, Louisiana, and recommend its passage.

Favorably, with amendments, on House bill No. 372, entitled an act to incorporate the town of Houma, in the parish of Terrebonne; to define the boundaries thereof; to provide for the government of said town; giving to the town council certain powers and privileges; authorizing the council to raise a revenue; to establish recorders' courts; limiting the rate of taxation; exempting the property situated within the limits of the town from parish taxation, and repealing act No. 224 of the acts of the Legislature of 1848, approved March 16, 1848, and repealing act No. 35 of the acts of the Legislature of the year 1858, and recommend its passage.

Favorably on House bill No. 444, entitled an act to incorporate the town of Oak Ridge, in Morehouse parish, and recommend its passage.

Unfavorably on Senate bill No. 9 (210) entitled an act to confirm and approve the act of incorporation and amendments thereto of the Hebrew Zion Congregation of the city of Shreveport, Louisiana, and recommend that it be indefinitely postponed.

Unfavorably on Senate bill No. 112 (402), entitled an act to incorporate the St. James Methodist Episcopal Church Association of Shreveport, Louisiana, and recommend that it be indefinitely postponed.

THOMAS E. MEREDITH,
Chairman.

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

Your Committee on Corporations, to whom was referred the resolution in relation to the Sugar Shed Company, beg leave to submit the following report, viz: Your committee finds that on the fourteenth day of August, 1869, the City Council of this city passed an ordinance granting to Francis B. Fleitas the exclusive right and privilege of using the public spaces on the levee, in the Second District of this city, between Customhouse and St. Louis streets, for the period of twenty-five years, for the purpose of erecting thereon fire-proof sheds for the reception of sugar and molasses. The terms and conditions upon which said privilege was granted are in brief as follows:

First—To erect sugar sheds at his own cost and expense, with such accommodations as the business demanded, and to keep said sheds in good order and repair at his own expense.

Second—To charge a sum not exceeding twenty-five cents, on every hogshead of sugar, and fifteen cents on every barrel of molasses sheltered under said shed; but if the sugar or molasses changed hands while under the shed it gave the said Fleitas the right of making an additional charge of fifteen cents on the hogshead of sugar and five cents on the barrel for molasses, for every such change.

Third—The said Fleitas was to pay to the city as a consideration for said privilege, ten per cent. of the gross amount realized.

Your committee finds that on the eighteenth day of August, 1869, the said Fleitas, acting for himself, and John R. Conway, the Mayor, acting for the city, went before a notary public, the one accepting in due and legal form the terms and conditions which this ordinance imposed, and executing a bond as required by the ordinance, the other on the part of the city, transferring the rights and privileges granted by the ordinance, thus rendering effective the object contemplated by the ordinance.

Your committee finds that on the twenty-eighth of January, 1870, the said Fleitas, under the general laws of the State, and by virtue of the rights and privileges given to him in the ordinance above referred to, associated with himself Robert Mott, Samuel Jamison, E. W. Rood, W. M. Geddes, F. M. Hatch, Thomas J. Semmes, J. J. Warren, Hanson Kelly and Thomas Janny, all of whom, by notarial act, constituted themselves a body corporate and politic under the name of the New Orleans Sugar Shed Company. The capital stock of this association was fixed in the original charter at $1,200,000, represented by 12,000 shares of $100 each, and this capital stock may be increased or diminished to any sum not exceeding $2,000,000, nor less than $600,000, with the consent of three-fourths of the stock represented in a general meeting of the stockholders. Notwithstanding this provision in the charter which prevents the capital stock from being less than $600,000, it appears from the evidence adduced before your committee that it has been diminished to $180,000. While your committee are of the opinion that the affairs of this Sugar Shed Company is not properly a subject of legislative investigation, it being organized under the municipal sanction of the city of New Orleans, and while they do not wish to lend their influence or be instrumental in prying into matters which pertain exclusively to municipal authorities, yet having been appointed by your honorable body to investigate the affairs of this company, your committee is compelled, in performance of the duties imposed upon it, to pretermit whatever individual opinions it may entertain as regards the inherent right to this investigation, and submit a statement of facts as elicited by the evidence, and the conclusions those facts have brought the committee to. The evidence shows that the company charges twenty-five cents per hogshead on sugar and ten cents per package on molasses, not to remain over five days, including the day of receipt and the day of delivery, and if it is not removed within the five days the storage therefor is forty cents per month, or fractional parts thereof, on the hogshead for sugar, and fifteen cents per month, or fractional part thereof, for each barrel of molasses. Your committee find no authority for the company to make any additional charges for storage after the first five days, and can not refrain from expressing their opinion that the company has transcended its limits and violated the charter which gave it birth.

An ordinance of the city gives the wharfinger the right, whenever the levee becomes encumbered, to remove the sugar and molasses so incumbering the levee into the sugar sheds, and it also gives him the right, and in fact makes it his duty, to remove into the sugar sheds all sugar and molasses which have been on the levee for twenty-four hours. The evidence shows a ground of complaint to be that the wharfinger commences to count the hours from the time the steamboat puts her nose into the wharf and some time before she begins to unload, and by this process oftentimes sugar and molasses are sent to the shed before twenty-four hours expired, counting from the time it was actually delivered on the levee.

Your committee deems it unnecessary to enter into further particulars of the workings of this company, as sufficient has already been mentioned to sustain the assertion that they have violated their charter. As to the remedy to be sought, your committee could make no decided suggestions, but would venture the opinion that it is not a matter for legislative action, but judicial cognizance.

Your committee would, however, recommend that the City Council of New Orleans take immediate action to remedy the evil complained of, to better promote the interest of commerce.

THOMAS E. MEREDITH,
Chairman;
JAMES S. MATTHEWS,
JOHN SCHULER,
E. A. CARMOUCHE,
J. A. GILMORE.

Mr. Lafargue on behalf of the Committee on State Library, submitted the following report:

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

Your Committee on State Library request me to report favorably on House bill No. 436, entitled an act to amend section 2180 of the Revised Statutes of the State of Louisiana.

A. D. LAFARGUE, Chairman.

Mr. Mitchell, on behalf of the Commiteee on Claims, submitted the following report:

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

I am directed by the Committee on Claims to submit the following report, viz:

Favorably on House bill No. 306, an act for the relief of W. L. McIntosh.

Favorably on petition of James Withrow praying for relief.

Unfavorably on memorial of C. C. Harwell.

Unfavorably on petition of A. W. Faulkner.

Unfavorably on House bill No. 373, for relief of George M. Graham.

Unfavorably on petition of John Klein & Co., asking relief.

Unfavorably on Senate bill No. 95, for relief of W. R. White.

The petition of Patrick Lane, praying for relief, is respectfully returned without action.

Favorably on House bill No. 290, for the relief of the Citizens' Bank, praying for relief.

Respectfully submitted,
H. C. MITCHELL, Chairman.

Mr. Beasley, on behalf of the Committee on Public Health and Quarantine, to whom was referred House bill No. 449, entitled an act to prevent the adulteration of liquids and articles intended for human food, and the traffic in impure and unwholesome eatables, liquids or other substances, and imposing penalties for violations of this act, submitted an unfavorable report.

And the same member, from the same committee, to whom was referred House bill No. 48, entitled an act to regulate the practice of pharmacy and the sale of poison, to prescribe the qualification of druggists and apothecaries, and to prevent adulteration in drugs and medical preparations in the State of Louisiana, and to repeal all laws and parts of laws in conflict with the provisions of this act, submitted a favorable report with the following amendments:

In section two strike out after the words "shall be appointed" the following: "By the Governor of the State of Louisiana, three of whom shall be graduates in pharmacy, and selected out of the most