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-third Day's Session.

SENATE CHAMBER, New Orleans, February 26, 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, Blunt, Burch, Cage, Chadbourn, Detiege, Dumont, George, Goode, Greene, Harper, Herwig, Kelly, Landry, Masicot, Ogden, Pollard, Robertson, Stamps, Steven, Sypher, Twitchell, Weber, Wharton, White, Whitney, Young—28.

Absent—Messrs. Anderson, Blackburn, Breaux, Brewster, Eustis, Gla, Grover, Kelso—8.

Prayer was offered by the Rev. Mr. Samuel Aunier.

The journal was read, corrected and approved.

Senator Allain offered the following motion:

I move that a committee of three be appointed by the Chair to investigate the action of the Committee on Auditing and Supervising the accounts of the Senate in connection with the expenditures of the several appropriations for the regular and contingent expenses of the Senate, made by act No. 2 of the session of 1875; that said committee be instructed to examine and compare the books of said committee and of the Auditor of Public Accounts so far as the same relate to such expenditures. That said committee be instructed to investigate the reasons why the Auditor of Public Accounts and the chairman of said committee have failed to present to this body a detailed itemized account of such expenditures at the present session, as directed by section five of said act, and that said committee be authorized to report by bill or otherwise.

Senator Sypher moved to strike out the words "special committee" and insert the words "Finance Committee."

Senator Detiege moved to lay the motion to strike out and insert on the table.

Senator Sypher made the point of order that the motion of Senator Allain is out of order, on the ground that it conflicted with the duties of the standing committees.

The President ruled the point not well taken.

Senator Allain called for the yeas and nays on the motion to table the amendment, with the following result:

Yeas—Alexander, Allain, Blackburn, Detiege, George, Goode, Greene, Grover, Ogden, Pollard, Robertson, Steven, White, Young—14.

Nays—Anderson, Blunt, Breaux, Brewster, Cage, Gla, Harper, Herwig, Landry, Masicot, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney—16.

Absent—Burch, Chadbourn, Dumont, Eustis, Kelso, Keily—6

And the Senate refused to table the amendment.

The question recurring upon the adoption of the amendment, the amendment was adopted.

Senator Twitchell offered the following amendment to rule nine:

After the word "twice" insert "nor more than five minutes."

Senator White moved to amend the amendment by adding "but the time can be extended by a majority of the Senate."

Senator Twitchell accepted the amendment.

On motion of Senator Twitchell the amendment to rule nine, as amended by Senator White, was adopted.

Senator Grover offered the following motion:

I move that the number of members of the special committee to investigate the manner in which the State of Louisiana and city of New Orleans became divested of their interests in the New Orleans Jackson and Great Northern railroad be increased from three to five.

Which was adopted.

Senator Sypher moved to suspend the Senate rules in order to take up House bill No 482, entitled an act making an appropriation of $109,921 45, out of the general funds in the State treasury, or received in the treasury during the year 1876, for the payment of the mileage and per diem of members, salaries of officers and employes, and contingent expenses of the General Assembly of Louisiana, for the regular session of 1876; directing the Auditor of Public Accounts to issue warrants to the chairman of Contingent Expense Committee of the House and to the chairman of the Committee on Auditing and Supervising the Accounts of the Senate on the Treasurer, and making such warrants receivable for State licenses; directing the Treasurer of the State to receive such warrants in settlement with tax collectors, and to provide for the disbursement of the amount appropriated.

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

Yeas — Allain, Anderson, Blackburn, Breaux, Brewster, Cage, Dumont, George, Goode, Gla, Grover, Herwig, Kelly, Masicot, Ogden, Pollard, Robertson, Stamps, Steven, Sypher, Twitchell, Wharton, White, Whitney, Young—25.

Nays—Alexander, Blunt, Burch, Greene, Harper, Weber—6.

Absent — Chadbourn, Detiege, Eustis, Kelso, Landry—5.

And the rules were suspended.

The bill came up on its third reading.

Senator Sypher moved that the bill finally pass.

Senator Whitney called for the previous question.

The main question was ordered.

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

Yeas—Allain, Anderson, Breaux, Brewster, Burch, Cage, Dumont, George, Goode, Gla, Greene, Grover, Herwig, Kelly, Masicot, Ogden, Pollard, Sypher, Whitney, Young—20.

Nays—Alexander, Blackburn, Blunt, Harper, Landry, Steven, Twitchell, Weber, Wharton, White—10.

Absent—Chadbourn, Detiege, Eustis, Kelso, Robertson, Stamps—6.

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

Senator Burch gave notice that on Monday he would move for a reconsideration of the vote by which House bill No. 482 was passed.

Senator Sypher moved to reconsider the vote just taken, and moved to lay that motion on the table.

Senator Blunt made the point of order that the motion of Senator Sypher was out of order, on the ground that Senator Burch had already given notice of his intention to move to reconsider the same vote.

SPECIAL ORDER OF THE DAY.

Pending the decision of the President on the point of order raised by Mr. Blunt, the the special order of the day was called, being Senate bill No. 68, entitled an act to establish an insurance department in the State; to define the powers and duties of the insurance commissioner; to declare a standard of legal safety in insurance companies, associations and agents, and prescribing the penalties for violations of the provisions of this act, and fixing salaries and fees, and how they shall be paid.

Senator Whitney moved that the Senate consider the bill section by section.

Section one was read.

Senator Whitney moved to adopt the section.

Senator Wharton moved to indefinitely postpone the bill.

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

Lost.

The question recurring on the motion to indefinitely postpone, the bill was indefinitely postponed.

NOTICES OF BILLS.

By Senator Landry:

Of an act for the bonding of the floating indebtedness of the parish of Ascension, and to provide the manner that the said bonds are to be issued.

REPORTS OF COMMITTEES.

Senator Allain moved to take up all House bills not yet referred.

Senator Wharton moved as a substitute to take up all House bills on the calendar.

The substitute and motion were both lost.

INTRODUCTION OF JOINT RESOLUTIONS.

By Senator Greene:

Senate joint resolution No. 14, entitled joint resolution No. 14, relieving certain parishes of the State from the payment of levee tax.

The joint resolution was read the first time and calendared.

By Senator Whitney:

Senate joint resolution No. 15, reading as follows:

Be it resolved by the Senate and House of Representatites, That in accordance with section 1540 of the Revised Statutes, there be appointed a joint committee of five members, two on the part of the Senate, to be appointed by the President thereof, and three on the part of the House, to be appointed by the Speaker thereof, who shall at once proceed to make the examination of the accounts of the Auditor and Treasurer, as contemplated by said section, and report the result of said investigation at the earliest possible moment.

The joint resolution was read the first time and calendared.

NOTICE OF MOTION TO RECONSIDER.

Senator Brewster gave notice that Monday he would move to reconsider the vote by which Senate bill No. 48 was indefinitely postponed.

ACTION ON REPORTS OF COMMITTEES LYING OVER.

Senator White called up the report of the Committee on Printing on House bill No. 11, entitled an act to repeal an act entitled an act relative to public printing, approved July 21, 1868; and to repeal an act entitled an act relative to the judicial and legal advertisements, No. 94 of the acts of 1870, and to repeal sections 2986, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 2994, 2995, 2996, 2997, 2998, 2999 and 3000 of the Revised Statutes of the State of Louisiana; and to regulate and define the rates and prices of the public printing, and to prescribe the manner in which the same shall be done, reported favorably by said committee.

Senator Stamps moved to indefinitely postpone the report and bill.

Senator Robertson moved to lay the motion on the table, and called for the yeas and nays with the following result:

Yeas—Blackburn, Blunt, Brewster, Detiege, Dumont, Eustis, George, Goode, Greene, Kelly, Ogden, Robertson, Steven, Sypher, Twitchell, Wharton, White, Whitney—18.

Nays—Anderson, Burch, Cage, Chadbourn, Gla, Harper, Kelso, Pollard, Stamps, Weber—10.

Absent — Alexander, Allain, Breaux, Grover, Herwig, Landry, Masicot, Young—8.

And the motion to indefinitely postpone was laid on the table.

On motion of Senator Detiege the report was adopted.

Senator Burch offered the following substitute, and moved its adoption:

Section thirteen, strike out all after the enacting clause and insert: "That this law shall go into effect and be in force from and after the first of January, 1877, and shall not abrogate nor interfere with any printing contracts now in force under the present law."

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

Yeas — Allain, Anderson, Blackburn, Blunt, Breaux, Burch, Cage, Chadbourn, Eustis, Goode, Grover, Harper, Kelso, Landry, Pollard, Robertson, Stamps, Sypher, Weber, Whitney, Young—21.

Nays — Alexander, Dumont, George, Greene, Kelly, Wharton, White—7.

Absent—Brewster, Detiege, Gla, Herwig, Masicot, Ogden, Steven, Twitchell—8.

And the substitute was adopted.

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

Adopted.

On motion of Senator Burch the bill, as amended, was adopted as a whole on its second reading.

On motion of Senator Burch 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 was ordered to be sent to the House.

REPORTS OF COMMITTEES.

Senator Masicot, from the Committee on Enrollment, asked and obtained unanimous consent to make the following report:

COMMITTEE ON ENROLLING AND ENGROSSING, New Orleans, February 26, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Enrolling and Engrossing bills beg leave to report the following bills as having been duly engrossed, viz:

Senate bill No. 163, an act to exempt from State and parish taxes lands overflowed by the Grand Levee and Bonnet Carre and other crevasses now existing.

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

Very respectfully, your obedient servant,
J. A. MASICOT, Chairman.

ACTION ON REPORTS OF COMMITTEES LYING OVER RESUMED.

Senator Harper called up the report of the Committee on Corporations on Senate bill No. 186, entitled an act to reduce the expenses of the city government of the city of Shreveport, reducing the salaries of the mayor, city attorney and city physician; reducing the number of clerks and salaries of same; also, repealing act No. 112, approved March 9, 1869, entitled an act to create a recorder's court in the city of Shreveport, Louisiana, and for other purposes, reported favorably by said committee.

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.

HOUSE BILLS ON FIRST READING AND SENATE BILLS ON THIRD READING.

Senator Stamps moved to take up House bills on first reading.

Senator Burch moved to amend by adding "and Senate bills on third reading."

Senator Stamps accepted the amendment and the motion, as amended, was adopted.

House bill No. 267, entitled an act to provide for the collection of parish taxes due by delinquent taxpayers, and to prevent titles to lands upon which parish taxes are due from being complete until said parish taxes are paid.

The bill was read the first time.

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

House bill No. 279, entitled an act to fix the time of holding the terms of the Fifth Judicial District Court for the parish of West Baton Rouge.

The bill was read the first time.

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

House bill No. 271, entitled an act regulating the mode of assessing and collecting taxes throughout the State; providing for the correction of over and under assessments; providing for the collection of State and parish taxes and the appointment of tax collectors; limiting the power of taxation of all parishes and municipalities throughout the State; giving relief to taxpayers and to postpone the payment of certain assessed taxes, and to remit certain penalties and interest, and repealing all laws in conflict therewith.

The bill was read the first time.

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

House bill No. 295, entitled an act to incorporate the Merchants' Insurance Warehouse and Trust Company of New Orleans, and to define its powers and authority.

The bill was read the first time.

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

House bill No. 305, entitled an act to impose a license tax upon each and every insurance company not incorporated under the laws of this State, and taking risks on property located in this State.

The bill was read the first time.

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

House bill No. 476, concurrent resolution entitled concurrent resolution providing for a joint committee, to be known as the board for the examination of outstanding obligations and assets of the State.

The bill was read the first time.

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

Senator Wharton moved that the bill be printed in the journal and made the special order of the day for Monday next at 1 P. M.

Senator Whitney moved as a substitute to indefinitely postpone the bill.

Senator Stamps called for the previous question.

The main question was ordered.

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

Yeas — Alexander, Allain, Blackburn, Blunt, Breaux, Brewster, Cage, Chadbourn, Detiege, Gla, Greene, Harper, Kelso, Landry, Masicot, Pollard, Stamps, Weber, Whitney—19.

Nays — Burch, Dumont, Eustis, George, Goode, Grover, Herwig, Kelly, Robertson, Sypher, Twitchell, Wharton, White—13.

Absent — Anderson, Ogden, Steven, Young—4.

And the bill was indefinitely postponed.

Senator Blunt moved to reconsider the vote just taken, and moved to lay that motion on the table.

Senator Burch called for the yeas and nays, on the motion to table, with the following result:

Yeas — Alexander, Allain, Blackburn, Blunt, Cage, Chadbourn, Detiege, Dumont, Eustis, Greene, Masicot, Stamps, Whitney, Young—14.

Nays—Breaux, Brewster, Burch, George, Goode, Gla, Grover, Harper, Herwig, Kelso, Kelly, Landry, Robertson, Steven, Sypher, Twitchell, Weber, Wharton, White—19.

Absent—Anderson, Ogden, Pollard—3.

And the Senate refused to table the motion to reconsider.

The question recurring upon the motion to reconsider Senator Harper called for the yeas and nays with the following result:

Yeas—Breaux, Brewster, Burch, Chadbourn, George, Goode, Gla, Grover, Herwig, Kelly, Robertson, Steven, Sypher, Twitchell, Weber, Wharton, White—17.

Nays—Alexander, Allain, Blackburn, Blunt, Detiege, Dumont, Greene, Harper, Kelso, Landry, Pollard, Stamps, Young—13.

Absent—Anderson, Cage, Eustis, Masicot, Ogden, Whitney—6.

And the motion to reconsider prevailed.

The question recurring upon the motion of Senator Wharton to order the bill printed in the journal and make it the special order of the day for Monday next at 1 P. M, Senator Wharton called for the previous question.

Senator Blunt called for the yeas and nays on ordering the main question, with the following result:

Yeas—Alexander, Allain, Blunt, Brewster, Burch, Chadbourn, George, Goode, Gla, Grover, Herwig, Kelly, Landry, Pollard, Robertson, Stamps, Steven, Sypher, Weber, Wharton, White, Young—22.

Nays—Blackburn, Detiege, Greene, Harper, Kelso—5.

Absent—Anderson, Breaux, Cage, Dumont, Eustis, Masicot, Ogden, Twitchell, Whitney—9.

And the main question was ordered.

The motion was then adopted.

The bill reads as follows:

Concurrent resolution, No. 476, providing for a joint committee to be known as the board for the examination of outstanding obligations and assets of the State.

SECTION 1. Be it resolved by the House of Representatives of the State of Louisiana, in General Assembly convened, the Senate concurring, That there shall be appointed a special committee of two from the Senate and three from the House of Representatives, which committee shall act and be known as the board of examiners of the outstanding obligations and assets of the State of Louisiana.

SEC. 2. Be it further resolved, etc., That said board shall organize by electing one of their members as president, and shall employ a secretary; they shall sit during the vacation of the General Assembly, at the State House, and, after public notice, shall proceed to examine all outstanding obligations of and claims against the State, and make a statement of all claims examined by them to the next Legislature, together with the evidence submitted thereon.

SEC. 3. Be it farther resolved, etc., That said board shall make diligent inquiry as to the value of the assets of the State, the amount actually due and collectible of the past due State taxes for each year, and recommend the mode for the collection or disposition of the same.

SEC. 4. Be it further resolved, etc., That for the purpose of aiding them in the discharge of the duties imposed upon them, the said board, or its authorized agents, shall have access to and the right to order copies of the books and papers of all public officers or officers of the State of Louisiana, and they shall have the right to call on the Attorney General for legal aid or advice when necessary to the proper discharge of the duties herein imposed.

SEC. 5. Be it further resolved, etc., That all claims against the State of Louisiana not presented to said board shall be proscribed and null on and after the first of July, 1877; provided that nothing herein contained shall affect obligations fundable under the provisions of act approved January 24, 1874, known as the funding bill.

SEC. 6. Be it further resolved, etc, That the expenses of the said committee herein provided for shall not exceed two thousand dollars; provided, that no member of said board shall be entitled to any compensation.

House bill No. 455, entitled an act to establish a Charity Hospital in the parish of Caddo, to provide for its administration and government and to appropriate moneys for its maintenance and support.

The bill was read the first time.

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

House bill No. 222, entitled an act to repeal an act entitled an act to amend an act entitled an act incorporating the Southwestern Railroad Company, approved March 15, 1855, and granting aid thereto, published without the Governor's approval among the acts of the General Assembly of Louisiana for 1874.

The bill was read the first time.

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

MESSAGE FROM THE HOUSE.

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

HOUSE OF REPRESENTATIVES, New Orleans, February 25, 1876.

To the Honorable President and Members of the Senate:

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

House bill No. 107, entitled an act to authorize the Secretary of State to have prepared a coat of arms of the State of Louisiana, to be donated to the National Museum at Philadelphia, etc.

House bill No. 314, entitled an act to transfer to the Mayor and Council of New Orleans the control, custody, suspension and management of the city parks and of the park fund.

House bill No. 316, entitled an act to provide for the free vending or sale of vegetables from wagons otherwise in the streets of New Orleans by the producers thereof or by their employes.

House bill No. 315, entitled an act to reorganize and render more efficient the Board of Health of the State of Louisiana, etc.

House bill No. 324, entitled an act to provide for an additional justice of the peace and constable in and for ward No. 12, in the parish of Plaquemines, in this State.

House bill No. 323, entitled an act to fix the terms of the district court in the Sixteenth Judicial District of the State of Louisiana, etc.

House bill No. 333, entitled an act to complete the liquidation of the Consolidated Association of the Planters of Louisiana.

House bill No. 336, entitled an act to repeal an act entitled an act to authorize the police jury of the parish of Plaquemines to issue bonds and to provide for the redemption thereof, approved February 25, 1874.

House bill No. 362, entitled an act to fix the salaries of the Sixth Division Superintendent of Public Education, the assistant division superintendent and messenger thereof, said sixth division being embraced in the parish of Orleans.

House bill No. 391, entitled an act to fix the terms of the district court in the parish of Lincoln.

House bill No. 392, entitled an act to encourage manufacturing industries in the State of Louisiana, and to limit licenses for manufacturers in certain cases.

House bill No. 411, entitled an act to fix the compensation of the criminal sheriff of the parish of Orleans, for the maintenance of prisoners, etc.

House bill No. 163, entitled an act to repeal an act entitled an act to give the fifth justice of the peace for the parish of Orleans exclusive criminal jurisdiction as committing magistrate in that portion of the city of New Orleans on the right bank of the Mississippi river, and regarding the fees thereof.

House bill No. 132, 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, to provide the mode of payment therefor, and to secure the same.

House bill No. 356, entitled an act to renew the charter of the First Baptist Church, incorporated by an act of the Legislature approved March 5, 1845.

House bill No. 376, entitled an act to incorporate the town of Many, in the parish of Sabine, State of Louisiana, etc.

House bill No. 378, entitled an act incorporating the Evergreen and Atchafalaya Railroad Company, defining its powers and duties, and providing for the organization thereof.

House bill No. 396, entitled an act to create a justice court and the office of constable in and for the seventh district (late city of Carrollton), incorporated in the city of New Orleans, parish of Orleans, and conferring the same powers, duties and emoluments as are now conferred by law on justices of the peace and constables of the parish of Orleans.

House bill No. 503, joint resolution regarding the United States Mint in the city of New Orleans.

House bill No. 371½, entitled an act to incorporate the city of Shreveport, define its limits and provide for its police and municipal government.

House bill No. 318, entitled an act to fix the compensation of coroners in the parish of Orleans, and to provide for the payment of the same, etc.

House bill No. 374, entitled an act to lease the ferry at Simmsport, Louisiana.

House bill No. 316, entitled an act for the prevention of small-pox, for the protection of colleges, seminaries, schools and other institutions, etc.

House bill No. 354, entitled an act incorporating the town of Simmsport, in the parish of Avoyelles, and providing for the organization thereof.

House bill No. 469, entitled an act to authorize the city of Shreveport to transfer a certain piece of ground taken from Commerce street, in satisfaction of the balance due on the judgments in favor of the vendors of certain property, which said city purchased and subsequently donated to the Texas Pacific Railroad Company.

And also that the House has concurred in the passage of the following Senate bills:

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

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

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, parish of Caddo.

Senate bill No. 145, entitled 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.

Also, that the House has concurred in Senate amendments to the following House bills: Nos. 30, 136, 145, 166 and 205.

Respectfully,
PETER J. TREZEVANT, Chief Clerk.

House bill No. 300, entitled an act to repeal all of sections thirteen to twenty-two inclusive of an act relative to the New Orleans and Northeastern Railroad Company; to provide for the extension of the main line of their railroad to the city of New Orleans; for the building of one or more branches to the main line of said railroad; to regulate judicial proceedings in certain cases, and to facilitate and aid the construction and secure the maintenance of said railroad within the State of Louisiana, No. 106, approved October 25, 1871.

The bill was read the first time.

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

House bill No. 116, entitled an act to provide for and to regulate public education in the State of Louisiana; creating the offices of two assistant superintendents of public education; to provide parish school boards for the several parishes, and a school board for the city of New Orleans; to provide for the levying and collection of taxes therefor; prescribing and limiting the rate of taxation for school purposes; to define the duties of various officers in relation thereto, and providing penalties for violating the provisions of this act, and to repeal all laws regarding the public schools in conflict with the provisions of this act.

The bill was read the first time

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

House bill No. 13, entitled an act to establish the fees, costs and charges of the civil sheriff in and for the city of New Orleans, parish of Orleans, and to authorize the said officer to demand surety and payment for his costs and charges, and to exempt the city of New Orleans from all liability for sheriff's fees in cases in which the city of New Orleans sues for any tax or other dues levied in course of law, and in which judgment was rendered in favor of the city of New Orleans, expenses incurred by the sheriff caused in carrying out instructions of the proper officers of the city excepted.

The bill was read the first time.

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

House bill No. 257, entitled an act to incorporate the New Orleans Board of Underwriters.

The bill was read the first time.

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

House bill No. 42, entitled an act to provide for supplying the loss of the public records and other papers consumed by the burning of the courthouse in the parish of Cameron during the month of February, 1874.

The bill was read the first time.

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

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

The bill was read the first time.

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

House bill No. 308, entitled 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 for the payment of their salaries; requiring the several State tax collectors to receive said warrants from the taxpayers of the State in payment of the general fund tax for the current year; requiring the Auditor of Public Accounts and State Treasurer to receive said warrants from the tax collectors in their settlements, and repealing all laws in conflict with this act.

The bill was read the first time.

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

House bill No. 479, entitled 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.

The bill was read the first time.

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

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.

The bill was read the first time.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was read the second time and adopted on second reading.

The constitutional rules being suspended by a four-fifths affirmative vote of the Senate, the bill was read the third time, the bill finally passed, the title to stand.

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; to reduce the fares now exacted for passenger travel to Carrollton one-half; to enable the owners of the vast body of unproductive land now lying between the existing Carrollton railroad and the Mississippi river, and between Joseph street and Carrollton, to make it of great benefit to the public and themselves, and greatly add to the present taxable value of the same to the State and city treasuries by its improvements, and to confirm and enlarge the contract now existing between the city of New Orleans and the Crescent City Railroad Company for the accomplishment of these results.

The bill was read the first time.

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

Senator Stamps moved to take up the bill section by section.

Adopted.

The first section was read and adopted.

The second section was read.

On motion of Senator Robertson it was passed over for the present.

The third section was read and adopted.

The fourth section was read.

Senator Whitney moved to strike all that part of the section relative to exempting the company from taxation.

Adopted.

The fifth section was read and adopted.

On motion of Senator White the motion by which that portion of section four relative to exemption from taxation was stricken out was reconsidered.

Senator White offered the following substitute for section four:

That the Crescent City Railroad Company shall have the right to improve and inclose temporarily such parts of the New Orleans Park as the City Council may determine, at the pleasure of said Council.

Adopted.

The sixth section was read and adopted.

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

Adopted.

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

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

Yeas—Anderson, Burch, Cage, Chadbourn, Dumont, Eustis, George, Goode, Greene, Grover, Kelly, Pollard, Robertson, Stamps, Steven, Sypher, Weber, Wharton, White—19

Nays—Blunt, Detiege, Gla, Landry, Masicot, Whitney—6.

Absent—Alexander, Allain, Blackburn, Breaux, Brewster, Harper, Herwig, Kelso, Ogden, Twitchell, Young—11.

And the Senate refused to suspend the rules.

Senator Burch called up Senate bill No. 146, entitled an act to amend article 644 of the Code of Practice; to repeal all laws contrary to or in conflict with this act, and all aws on the same subject matter, the amendment of article 644 of the Code of Practice; to fix penalties for the violation of this act; and to fix the limits of this act, and the interpretation to be given to it.

The bill came up on its third reading.

On motion of Senator Burch the bill finally passed, its title was adopted and it was ordered to be sent to the House for concurrence.

REPORTS OF COMMITTEES.

Senator Masicot, from the Committee on Enrollment, made the following report:

COMMITTEE ON ENROLLING AND ENGROSSING, New Orleans, February 26, 1876.

To the Honorable President and Members of the Senate:

Your Committee on Enrolling and Engrossing Bills beg leave to report the following bills as having been duly engrossed, viz:

Senate bill No. 174, to amend sections two, three, four and five of an act entitled an act to grant additional privileges to the Clinton and Port Hudson Railroad Company, etc.

Senate bill No. 173, an act for the better management of the Poydras fund in the parish of Pointe Coupee, etc.

Senate bill No. 177, an act to authorize the Governor of this State to appoint a roadmaster, who shall have charge of and establish toll gates, and collect toll, on the road passing through the prairie between New Orleans and the English Turn, etc.

Also, Senate bill No. 178, entitled an act to provide a form of government for the administration of the affairs of the city of New Orleans; to provide for a Common Council, its organization and qualification of its members; the legislative powers of the Common Council; a municipal election; the city officers, their qualifications, powers and duties; Departments of Improvements, Streets and Landings; a law department; provide for the compensation of all officers; for the removal and suspension of the same; prohibiting any member of the Common Council from being interested in his private capacity in any purchase or contracts for labor or material of any description furnished to the city; and providing for an almshouse, and to repeal all acts and ordinances or parts of acts and ordinances inconsistent therewith.

Very respectfully,
J. A. MASICOT, Chairman.

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

COMMITTEE ON FINANCE, New Orleans, February 25, 1876.

To the Honorable President and Members of the Senate:

Your committee beg leave to report favorably, by substitute, on Senate bill No. 109, entitled an act to enable the parish of St. Charles to fund its debt, to issue bonds for said purpose, and to provide by taxation for interest and redemption thereof.

Respectfully submitted,
A. J. SYPHER, Chairman.
E. F. HERWIG,
JAMES H. GROVER,
THOMAS A. CAGE.

Senator Allain called up House bill No. 202, entitled an act to amend and re-enact sections two, three, four, five and six of act No. 46 of the session of 1874, entitled an act incorporating the New Orleans Sanitary Excavating Company, in the city of New Orleans, and granting rights and privileges thereto.

On its third reading, and on motion of Senator Allain the bill was recommitted to the Committee on Judiciary.

Senator Chadbourn called up the report of the Committee on Finance on Senate bill No. 194, entitled an act to enable the parish of St. Charles, to fund its debt, to issue bonds for said purpose and to provide by taxation for the interest and redemption thereof.

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

On motion of Senator Chadbourn the bill was considered engrossed.

On motion of Senator Chadbourn 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 Chadbourn called up the report of the Committee on Corporations on Senate bill No. 120, entitled an act granting to the Charity Hospital Medical College of New Orleans the right to confer degrees and grant diplomas to have the same effect, and to confer on said Charity Hospital Medical College the same powers and privileges that are possessed by the medical department of the University of Louisiana, reported favorably by said committee with amendments.

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

On motion of Senator Chadbourn the bill was considered engrossed.

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

Senator Wharton moved to suspend the Senate rules to call up House bill No. 340.

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

Yeas—Anderson, Brewster, Burch, Gla, Grover, Harper, Kelso, Sypher, Twitchell, Wharton, Whitney—11.

Nays—Allain, Blunt, Breaux, Chadbourn, Detiege, Dumont, Eustis, George, Goode, Greene, Herwig, Kelly, Masicot, Pollard, Robertson, Stamps, Steven, Weber, White—19.

Absent—Alexander, Blackburn, Cage, Landry, Ogden, Young—6.

And the Senate refused to suspend the rules.

Senator Twitchell moved to take a recess until 7 P. M.

Senator White moved to adjourn until Monday at 10 A. M.

Lost.

The motion to take a recess until 7 P. M was then adopted.

EVENING SESSION.

On the reassembling of the Senate at 7 P. M., after recess, the roll was call and the following Senators answered to their names:

Present—Messrs. Alexander, Blunt, Brewster, Burch, Cage, Chadbourn, Detiege, Goode, Gla, Greene, Grover, Harper, Kelso, Masicot, Robertson, Steven, Sypher, Twitchell, Wharton, White, Young—22.

Absent—Messrs. Allain, Anderson, Blackburn, Breaux, Dumont, Eustis, George, Herwig, Kelso, Kelly, Ogden, Pollard, Stamps, Weber, Whitney—14.

Senator Masicot moved to adjourn until Monday next at 10 A. M.

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

Yeas — Cage, Detiege, Goode, Masicot, Pollard, Robertson, Steven, White—8.

Nays — Alexander, Blunt, Brewster, Burch, Chadbourn, Gla, Greene, Grover, Harper, Kelso, Sypher, Twitchell, Whitney, Young—14.

Absent—Allain, Anderson, Blackburn, Breaux, Dumont, Eustis, George, Herwig, Kelly, Landry, Ogden, Stamps, Weber, Wharton—14.

And the Senate refused to adjourn.

ACTION ON HOUSE BILLS.

Senator Twitchell moved to take up House bill No. —, with a view to reference.

Adopted.

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

The bill was read the first time.

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

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

The bill was read the first time.

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

House bill No. 224, entitled an act fixing the salary of the Adjutant and Inspector General of the State.

The bill was read the first time.

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

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

The bill was read the first time.

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

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

The bill was read the first time.

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

House bill No. 293, entitled an act to limit the expenditures of the several parishes and municipal corporations of this State within their annual revenues; to make all appropriations of one year by the police juries and municipal corporations in this State in excess of the revenues of that year null and void; the surplus of revenue during any one year to be applied to the liquidation of the indebtedness of prior years.

The bill was read the first time.

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

House bill No. 332, entitled 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, and to grant State aid thereto, No. 49, approved March 3, 1871.

The bill was read the first time.

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

House bill No. 107, an act to authorize the Secretary of State to have prepared a coat of arms of the State of Louisiana, to be donated to the National Museum at Philadelphia, Pennsylvania, and to appropriate $100 for payment of the same.

The bill was read the first time.

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

House bill No. 108, an act to repeal an act entitled an act to give to the fifth justice of the peace for the parish of Orleans exclusive criminal jurisdiction as committing magistrate in that portion of the city of New Orleans on the right bank of the Mississippi river, and regulating the fees thereof.

The bill was read the first time.

The constitutional rules being suspended by a four-f