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. 323, entitled an act to fix the terms of the district court in the Sixteenth Judicial District of the State of Louisiana, and regulate the precedence of cases for trial in the district court for the parish of Lafayette.

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. 316, entitled an act to provide for the free vending or saleof fruits and vegetables from wagons or otherwise in the streets of New Orleans by the producers thereof or by their employes.

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 Commerce and Agriculture.

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

This 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. 333, entitled an act to complete the liquidation of the Consolidated Association of the Planters of Louisiana.

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. 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.

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 upon its second reading and referred to the Committee on Finance.

House bill No. 318, an act to fix the compensation of coroners in the parish of Orleans, and to provide for the payment of the same, substitute for House bill No. 70, reported by the select committee on city affairs.

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. 354, entitled an act incorporating the town of Simmsport, in the parish of Avoyelles, and providing for the organization thereof.

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. 356, entitled an act to revise the charter of the First Baptist Church, incorporated by an act of the Legislature, approved March 5, 1845.

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. 362, entitled an act to fix the salaries of the sixth division superintendent of education, the assistant division superintendent and messenger thereof, said sixth division being embraced in the parish of Orleans.

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. 371½, entitled an act to incorporate the city of Shreveport; define its limits and provide for its police and municipal government.

The bill was read first the 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 Committe on Corporations.

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

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. 376, entitled an act to incorporate the town of Many, in the parish of Sabine, State of Louisiana, defining the boundaries thereof and providing for the government 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 Corporations.

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.

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.

Senator Detiege moved to adjourn.

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

Yeas — Detiege, Robertson, Steven, White—4.

Nays—Alexander, Allain, Blunt, Breaux, Brewster, Burch, Cage, Dumont, Goode, Gla, Greene, Grover, Harper, Herwig, Landry, Pollard, Stamps, Sypher, Twitchell, Weber, Wharton, Whitney, Young—23.

Absent — Anderson, Blackburn, Chadbourn, Eustis, George, Kelso, Kelly, Masicot, Ogden—9.

And the Senate refused to adjourn.

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

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. 392, entitled an act to encourage manufacturing industries in the State of Louisiana, and to limit licenses for manufacturing in certain cases.

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 Commerce and Manufactures.

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 or may be conferred by law on justices of the peace and constables of the parish of Orleans.

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. 411, entitled an act to fix the compensation of the criminal sheriff of the parish of Orleans, for the maintenance of prisoners confined in the Parish Prison of the parish of Orleans, and abolishing turnkey's fees; this act to take effect from and after the first of December, 1876.

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. 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.

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. 503, entitled joint resolution regarding the United States Mint in the city of New Orleans.

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. 516, entitled an act for the prevention of small-pox; for the protection of colleges, seminaries, schools and other institutions throughout the State; to provide for proper vaccination; prescribing the duties of physicians; directing and authorizing the Board of Health of the State of Louisiana to furnish to the various parish physicians suitable bovine virus, and prescribing penalties for the violations 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 Health and Quarantine.

House bills on their first reading being exhausted, the President ruled that House bills on their second reading come up next in their regular order.

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.

The bill was read the second time.

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

Mr. White made the following point of order:

That this bill is a bill upon its second reading, and therefore does not come within the province of the motion to take up House bills on their first reading, with a view to reference, and that, therefore, the motion of the gentleman from Red River is the only motion that can be voted upon at this time; and therefore the Secretary was out of order in taking up the bill.

The President ruled the point not well taken, on the ground that—

The Senator from Orleans, second district, arose in his seat and addressed the Chair.

The Chair recognized the Senator from Orleans second district.

The Senator from Orleans, second district (Mr. Detiege), wanted to know if this was the last bill upon its second reading, and the Chair stated it was, by bowing to the Senator. If the Chair is not correct he will allow the Senator to correct him.

The Senator from Tensas (Mr. Whitney) moved that House bills upon their second reading be taken up.

The Chair put the question, and it was carried in the usual way without any confusion.

After the motion was made, the clerk read the bill House bill No. 340.

The Senator from Orleans, second district (Mr. White) arose and stated that the motion of the Senator was not in order, inasmuch as the Senator from Red River (Mr. Blunt) had made a motion to take up House bills upon their first reading with a view to reference.

Senator Burch made the point of order that nothing was before the Senate but House bills on their second reading, following in regular order House bills on their first reading.

The President ruled the point well taken.

Senator Robertson moved as a substitute to the motion to adopt the bill on its second reading that the further consideration o the bill be postponed, and that it be made the special order of the day for Thursday next at 3 P. M.

Senator Whitney moved to lay the substitute on the table, and called the yeas and nays with the following result:

Yeas—Alexander, Anderson, Brewster, Burch, Grover, Harper, Kelso, Landry, Sypher, Twitchell, Wharton—11.

Nays—Allain, Blunt, Breaux, Chadbourn, Detiege, Dumont, Goode, Gla, Greene, Herwig, Pollard, Robertson, Steven, Weber, White, Young—16.

Absent—Blackburn, Cage, Eustis, George, Kelly, Masicot, Ogden, Stamps, Whitney—9.

And the Senate refused to lay the substitute on the table.

The question recurred on the adoption of the substitute.

Senator Harper called for executive session.

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

Present—Messrs. Alexander, Allain, Anderson, Blunt, Brewster, Burch, Detiege, Goode, Gla, Greene, Grover, Harper, Herwig, Kelso, Pollard, Robertson, Steven, Sypher, Twitchell, Wharton, White, Whitney, Young—23.

Absent — Messrs. Blackburn, Breaux, Cage, Chadbourn, Dumont, Eustis, George, Kelly, Landry, Masicot, Ogden, Stamps, Weber—13.

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

Senator Twitchell moved to adjourn until Monday next at 9:30 A. M.

Adopted.

The Senate was declared adjourned until Monday next at 9:30 A. M.

P. E. BECHTEL,
Secretary of the Senate.

HOUSE OF REPRESENTATIVES.

Forty-fourth Day's Proceedings.

House of Representatives, New Orleans, February 26, 1876.

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

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

Hon. E. D. Estelette, Speaker, and Messrs. Aldige, Booth, Byrne, Bayley, Butler, Baker, Beasley, Billiu, Carville, Collins, Cousin, Carloss, Dupre, DeBlanc, Dugas, Durr, Dewees, Dickenson, Delhommer, Dunn, Edwards of Richland, Edwards of Tangipahoa, Elliott, Grant, Gilmore, Hall, 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, Lane, Luckett, Lafargue, Maginnis, Mitchell, Mathews of Franklin, Murrell, Matthews of Tensas, McCollam, McAlpine, Nunez, Pascal, Piles, Pipes, Roman, Richardson, Randall, Ridgely, Raby, Smith, Self, Snaer, Souer, Seeman, Stafford, Stewart, Scales, Thomas, Voorhies, Walker, Wiltz, Wilson, Woods of Ouachita, Woods of West Baton Rouge, Walters, Wells, Webb, Young—80.

Services were opened with prayer by the Rev. Mr. W. E. Muncy of the Methodist Episcopal Church South.

On motion of Mr. Pipes the reading of the minutes of yesterday was postponed until Monday next.

Speaker Estilette decided the points of order on the following bills:

On House bill No. —, entitled an act to amend and re-enact section one of act No. 11, approved February 26, 1872, defining the distances from the domiciles of members of the General Assembly to the State House; fixing the mode of ascertaining the per diem of members of the General Assembly, for their attendance upon the General Assembly and for the time engaged in going to and returning from the State House, and the mileage to be paid—introduced by Mr Jones of Lincoln.

A point of order having been made by Mr Matthews that this bill could not be entertained by the House of Representatives at this session for the reason that a bill of the same subject matter having already been disposed of and indefinitely postponed by this House.

Also, an act entitled an act to protect the city of New Orleans; to regulate the location of the slaughterhouse and stock pens; to secure the rights of butchers, stock dealers and the proprietors of slaughterhouses and stock pens; to provide penalties for the violaltons of this act and to repeal the act approved March 6, 1869, entitled an act to protect the health of the city of New Orleans; to locate for stock, the stock landings and slaughterhouses and to incorporate the Crescent City Live Stock Landing and Slaughterhouse Company, introduced by Mr. Walker.

A point of order having been made by Mr. Matthews, that this bill could not be entertained by the House of Representatives at this session, for the reason that a bill of the same subject matter having been already disposed of and indefinitely postponed.

Both of these bills having been referred to the Speaker for decision on the point of order.

The Speaker submitted the following decision:

That for the same reasons above stated in the points of order, the Speaker decides the points of order well taken, and that the House could not entertain these bills at this session.

Mr. Hill, of Ascension, moved to reconsider the vote by which House bill No. 417, entitled an act to annex certain territory of the parish of Ascension to the parish of Livingston, to dispose of certain records of Ascension parish, and of certain suits pending in the courts of Ascension parish; to provide for the collection and disposition of certain taxes and licenses; to sub-divide said territory into wards of the parish of Livingston; to provide for the officersof said wards; to attach the said territory to the congressional, judicial and senatorial districts in which the parish of Livingston is embraced, and to repeal all laws in conflict with this act, was engrossed; and on that motion he called the previous question.

The Speaker then put the question: "Shall the main question be now put?" which was decided in the affirmative.

The main question being ordered on the motion to reconsider, Mr. Hill, of Ascension, called for the yeas and nays, which resulted as follows:

Yeas—Armstead, Butler, Baker, Carville, Davidson, Dewees, Dickenson, Demas, Gracien, Hill of Ascension, Hubeau, Hill of Ouachita, Hunsaker, Jones of Pointe Coupee, Keeting, Keyes, Lane, Maginnis, Milon, Matthews of Tensas, McCollam, Parker, Piles, Randall, Ridgely, Raby, Sutton, Snaer, Sartain, Souer, Stewart, Wilson, Woods of Ouachita, Woods of West Baton Rouge, Yorke—35.

Nays—Booth, Byrne, Burkhardt, Bayley, Blaffer, Bower, Beasley, Billiu, Collins, Carmouche, Dupre, DeBlanc, Dugas, Durr, Delhommer, Dunn, Edwards of Richland, Edwards of Tangipahoa, Elliott, Gilmore, Hall, Hammond, Jeffries, Jourdain, Johnson of Lafourche, Koontz, Kummel, Kelly, Kidd, Luckett, Lafargue, Meredith, McAlpine, Nunez, Pipes, Roman, Richardson, Smith, Self, Seeman, Sibilski, Schenck, Stafford, Scales, Schuler, Voorhies, Vidrine, Walker, Wiltz, Wells, Webb, Young—52.

So the motion to reconsider was lost.

Mr. Matthews, of Tensas, moved that the committee appointed to investigate charges, if any, against William Pitt Kellogg be discharged.

Mr. Dupre moved to lay Mr. Matthews' motion on the table.

And on that motion Mr. Mitchell called the previous question.

Pending which Mr. Gracien made the following point of order:

That the gentleman from Tensas having already addressed the House twice on the same subject, he could not yield the floor to his colleague, Mr. Stewart; and further, that he had not heard Mr. Mitchell withdraw his call for the previous question, which is not debatable.

The Speaker decided Mr. Gracien's point of order not well taken.

And upon the decision of the Speaker Mr. Gracien accused the Speaker of arbitrary ruling, and used unbecoming language to the Speaker.

Mr. Dupre moved that the member from the fifteenth ward (Mr. Gracien) be expelled from the House:

On motion of Mr. Walker Mr. Gracien was brought before the bar of the House, where, after an explanation, he apologized to the Speaker and to the members of the House for his conduct.

When, upon motion of Mr. Dupre, Mr. Gracien was unanimously excused.

The question recurring on the motion to lay on the table the motion made by Mr. Matthews, Mr. Demas called for the yeas and nays, which resulted as follows:

Yeas—Aldige, Booth, Byrne, Burkhardt, Blaffer, Bower, Beasley, Billiu, Collins, Carmouche, Carloss, Dupre, DeBlanc, Dugas, Durr, Delhommer, Dunn, Edwards of Tangipahoa, Edwards of Richland, Elliott Gilmore, Hall, Hammond, Jeffries, Johnson of Lafourche, Koontz, Kummel, Kelly, Kidd, Luckett, Lafargue, Maginnis, Meredith, Mitchell, Matthews of Franklin, Martin, McCollam, McAlpine, Nunez, Pascal, Pipes, Roman, Richardson, Smith, Self, Seeman, Sibilski, Schenck, Stafford, Scales, Schuler, Voorhies, Vidrine, Walker, Wiltz, Walters, Wells, Webb, Young—59.

Nays—Armstead, Butler, Baker, Carville, Cousin, Davidson, Dewees, Dickenson, Demas, Guichard, Grant, Gracien, Hill of Ascension, Hahn, Hubeau, Hill of Ouachita, Honore, Hunsaker, Jourdain, Johnson of Caddo, Jones of Pointe Coupee, Keeting, Lane, Levisee, Murrell, Milon, Matthews of Tensas, Parker, Piles, Ray, Raby, Sutton, Snaer, Sartain, Souer, Stewart, Thomas, Woods of Ouachita, Wilson, Woods of West Baton Rouge, Walters, Wells, Webb, Yorke, Young—42.

So the motion to lay on the table was carried.

On motion of Mr. Wiltz the censideration of the minutes of Thursday was postponed until Monday next.

Mr. Matthews, of Tensas, called the special order the day.

Mr. Wiltz moved to postpone all orders of the day until 4 P. M.

Mr. Demas moved to lay on the table the motion made by Mr. Wiltz, and upon that motion Mr. Matthews, of Tensas, called for the yeas and and nays which resulted as follows:

Yeas—Armstead, Butler, Davidson, Dewees, Dickenson, Demas, Gracien, Guichard, Hill of Ascension, Hahn, Hubeau, Hill of Ouachita, Hunsaker, Jourdain, Johnson of Caddo, Jones of Pointe Coupee, Keeting, Keyes, Lane, Levisee, Murrell, Milon, Matthews of Tensas, Parker, Piles, Randall, Ray, Raby, Sutton, Souer, Thomas, Wilson, Woods of West Baton Rouge, Yorke, Woods of Ouachita—35.

Nays—Aldige, Booth, Byrne, Burkhardt, Bayley, Blaffer, Bower, Baker, Beasley, Billiu, Carville, Collins, Carmouche, Carloss, Dupre, DeBlanc, Dugas, Durr, Delhommer, Dunn, Edwards of Tangipahoa, Edwards of Richland, Elliott, Grant, Gilmore, Hall, Honore, Hammond, Jeffries, Johnson, of Lafourche, Koontz, Kummel, Kelly, Kidd, Luckett, Lafargue, Maginnis, Meredith, Mitchell, Matthews of Franklin, McCollam, McAlpine, Nunez, Pascal, Pipes, Roman, Richardson, Smith, Self, Seeman, Sibilski, Schenck, Stafford, Stewart, Scales, Schuler, Voorhies, Vidrine, Walker, Wiltz, Walters, Wells, Webb, Young—64.

So the motion to lay Mr. Wiltz's motion on the table was lost.

The question recurring on the motion to postpone, Mr. Walker made a division of his previous motion by a motion to postpone all special orders of the day until 4 P. M.

Upon which motion Mr. Demas called for the yeas and nays, which resulted as follows:

Yeas—Aldige, Booth, Byrne, Burkhardt, Blaffer, Bower, Beasley, Billiu, Collins, Carmouche, Carloss, Dupre, DeBlanc, Dugas, Durr, Delhommer, Dunn, Edwards of Richland, Edwards of Tangipahoa, Elliott, Gilmore, Hall, Hammond, Jeffries, Johnson of Lafourche, Kummel, Kelly, Kidd, Luckett, Lafargue, Maginnis, Meredith, Mitchell, Matthews of Franklin, Martin, McCollam, McAlpine, Nunez, Pascal, Pipes, Roman, Richardson, Smith, Self, Seeman, Sibilski, Stafford, Scales, Schuler, Voorhies, Vidrine, Walker, Wiltz, Walters, Wells, Webb, Young—57.

Nays—Armstead, Butler, Baker, Carville, Cousin, Davidson, Dickenson, Demas, Guichard, Hill of Ascension, Hahn, Hubeau, Hill of Ouachita, Honore, Hunsaker, Jourdain, Johnson of Caddo, Jones of Pointe Coupee, Keeting, Keyes, Lane, Levisee, Milon, Matthews of Tensas, Parker, Piles, Randall, Ridgely, Ray, Raby, Sutton, Sartain, Souer, Stewart, Thomas, Wilson, Woods of Ouachita, Woods of West Baton Rouge, Yorke—39.

And the special orders were postponed.

Mr. Matthews of Tensas, called for the regular order of the day.

Mr. Wiltz moved that the regular order of the day be postponed until seven o'clock.

Upon which motion Mr. Matthews called for the yeas and nays, which resulted as follows:

Yeas—Aldige, Booth, Byrne, Burkhardt, Blaffer, Bower, Beasley, Billiu, Collins, Carloss, Dupre, DeBlanc, Dugas, Durr, Delhommer, Dunn, Edwards of Tangipahoa, Edwards of Richland, Elliott, Gilmore, Hall, Hammond, Jeffries, Johnson of Lafourche, Kummel, Kelly, Luckett, Lafargue, Maginnis, Meredith, Matthews of Franklin, Martin, McCollam, Pascal, Pipes, Roman, Smith, Self, Seeman, Sibilski, Schenck, Stafford, Scales, Schuler, Voorhies, Wiltz, Wells, Webb, Young—49.

Nays—Armstead, Butler, Baker, Carville, Cousin, Davidson, Dewees, Dickenson, Demas, Guichard, Hill of Ascension, Hahn, Hubeau, Hill of Ouachita, Honore, Hunsaker, Jourdain, Johnson of Caddo, Jones of Pointe Coupee, Keeting, Keyes, Lane, Murrell, Milon, Matthews of Tensas, Parker, Piles, Randall, Ridgely, Ray, Raby, Sutton, Sartain, Souer, Stewart, Thomas, Wilson, Woods of Ouachita, Woods of West Baton Rouge, Yorke—40.

Mr. Wiltz moved that the rules be suspended, and that the special committee appointed to investigate charges, if any against William Pitt Kellogg, be allowed to make their report.

The Speaker then put the question: "Is there any objection to a suspension of the rules," no objection being made, the chairman of the committee was allowed to make his report.

Mr. Matthews, of Tensas, made the point of order that the report could not be entertained at this time, as the Speaker had not put the question in accordance with rule four of the House.

The Speaker after consulting the rule referred to, decided the point made by Mr. Matthews not well taken.

Mr. Matthews appealed from the decision of the chair, and upon that motion called for the yeas and nays.

Yeas—Aldige, Booth, Byrne, Bayley, Blaffer, Bower, Beasley, Billiu, Collins, Carmouche, Carloss, Dupre, DeBlanc, Dugas, Durr, Delhommer, Dunn, Edwards of Tangipahoa, Edwards of Richland, Elliott, Gilmore, Hall, Hammond, Jeffries, Johnson of Lafourche, Kummel, Kelly, Kidd, Luckett, Levisee, Lafarge, Maginnis, Meredith, Mitchell, Matthews of Franklin, Martin, McCollam, McAlpine, Nunez, Pascal, Pipes, Roman, Richardson, Ridgely, Smith, Self, Seeman, Sibilski, Schenck, Stafford, Scales, Schuler, Triplet, Voorhies, Vidrine, Walker, Wiltz, Woods of West Baton Rouge, Walters, Wells, Webb, Young—61.

Nays—Butler, Baker, Carville, Cousin, Davidson, Dewees, Dickenson, Demas, Guichard, Grant, Gracien, Hill of Ascencion, Hahn, Hubeau, Hill of Ouachita, Honore, Hunsaker, Jourdain, Jones of Pointe Coupee, Keeting, Keyes, Lane, Murrell, Milon, Matthews of Tensas, Parker, Piles, Ray, Raby, Sutton, Snaer, Sartain, Souer, Stewart, Thomas, Wilson, Woods of Ouachita, Yorke—39.

So the decision of the Chair was sustained.

Mr. Wiltz moved to reconsider the vote just given, and on his own motion the motion to reconsider was ordered to lie on the table.

Mr. Hunsaker asked leave to enter a protest against the action of the House in not suspending the rules to allow the committee to report.

The Speaker informed the gentleman that he was in error. The rules had been suspended when he put the question, "any objection to a suspension of the rules," to the House. Having heard no objections, the rules were accordingly suspended. But the Speaker stated that for the satisfaction of the gentlman from St. James, he would put the question to the House.

On a rising vote the House refused to allow Mr. Hunsaker to enter his protest.

Mr. Sartain moved to adjourn until Monday at 12 M.

And upon that motion Mr. Sartain called for the yeas and nays:

Yeas—Butler, Baker, Davidson, Dewees, Dickenson, Guichard, Grant, Hill of Ascension, Hahn, Hubeau, Hill of Ouachita, Honore, Hunsaker, Jourdain, Johnson of Caddo, Jones of Lincoln, Jones of Pointe Coupee, Keeting, Keyes, Lane, Levisee, Murrell, Milon, Matthews of Tensas, Parker, Piles, Randall, Ray, Raby, Sutton, Snaer, Sartain, Souer, Stewart, Thomas, Wilson, Woods of Ouachita, Woods of West Baton Rouge, Yorke—38.

Nays—Aldige, Booth, Byrne, Bayley, Blaffer, Bower, Beasley, Billiu, Carville, Collins, Carmouche, Cousin, Carloss, Dupre, DeBlanc, Dugas, Durr, Demas, Delhommer, Dunn, Edwards of Tangipahoa, Edwards of Richland, Elliott, Gracien, Gilmore, Hammond, Jeffries, Johnson of Lafourche, Kummel, Kelly, Kidd, Luckett, Lafargue, Maginnis, Meredith, Mitchell, Matthews of Franklin, Martin, McCollam, McAlpine, Nunez, Pascal, Pipes, Roman, Richardson, Ridgely, Smith, Self, Seaman, Sibilski, Schenck, Stafford, Scales, Schuler, Voorhies, Vidrine, Walker, Wiltz, Walters, Wells, Webb, Young—62.

On motion of Mr. Wiltz the report of the committee was ordered to be spread upon the minutes.

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

The special committee appointed by the House to investigate the conduct of William Pitt Kellogg, to ascertain whether he has committed high crimes and misdemeanors in office while discharging the duties of Governor of the State of Louisiana, respectfully beg leave to report:

That they have found upon investigation that the said William Pitt Kellogg, while acting as Governor of the State of Louisiana, has committed many violations, in his official capacity, in exercising the functions of Governor, of the constitution and laws of the State of Louisiana, and do submit the following preamble and resolutions for the consideration of the House, and recommend their adoption:

Whereas, Testimony taken by a committee of this House discloses the fact that William Pitt Kellogg, while acting as Governor of the State of Louisiana, and exercising the functions of said office in the month of October, 1874, and in the month of January, 1875, at and in the parish of Orleans, did aid and abet and was accessory before the fact, to a double crime against the State of Louisiana, the laws and constitution thereof, in procuring the withdrawal of money from the State treasury without any lawful warrant for so doing, and in causing it to be taken from a fund set apart by the constitution and laws to pay the interest on the consolidated bonds issued by the Funding Board, which the faith of the State was solemnly pledged to maintain sacred and inviolate, and that this felonious tampering with the honor of the State and its bondholding creditors was accomplished by means of the power which his official positition as Governor gave him over the State Treasurer who, as the evidence shows, was very reluctant to violate the law, and only did so at the pressing instigation and importunity of the said William P. Kellogg; and

Whereas, Many of the Democratic and Conservative members of this House feel bound in good faith by the terms of the adjustment known as the Wheeler compromise, not to disturb the said William Pitt Kellogg for official misconduct occurring anterior to the fourteenth of April, 1875; and

Whereas, Your committee find upon investigation that said William Pitt Kellogg, in disregard of the high duties imposed on him by the constitution and laws of the State of Louisiana, while discharging and exercising the functions of said office of Governor, and in violation of the constitution and laws of the State of Louisiana, and his official oath as Governor, to support and maintain the same has as acting Governor of the State of Louisiana since and subsequent to the fourteenth day of April, 1875, been guilty of many and divers high crimes and misdemeanors in office against the laws, the constitution and the people of the State of Louisiana; therefore, be it

Resolved by the House of Representatives of the State of Louisiana, That William P. Kellogg, acting Governor of the State of Louisiana, be and is hereby impeached for high crimes and misdemeanors in office, committed against the constitution and laws of the State of Louisiana; be it further

Resolved by the House of Representatives of the State of Louisiana, That a committee of five members of this House be appointed by the Speaker to go to the Senate of the State of Louisiana, and at the bar thereof impeach William P. Kellogg of high crimes and misdemeanors in office, committed since April 14, 1875, and acquaint the Senate that the House of Representatives will in due time exhibit particular articles of impeachment against him, and that the committee demand that the Senate take order for the appearance of said William P. Kellogg to answer the said impeachment; be it further

Resolved, That a committee of five be appointed by the Speaker thereof, to prepare and present for the consideration of the House articles of impeachment against William Pitt Kellogg, acting Governor of the State of Louisiana, for high crimes and misdemeanors in office, and that they be authorized and empowered to send for persons and papers in furtherance of their investigations.

Respectfully submitted.

JOHN YOUNG, Chairman;
LOUIS A. WILTZ,
E. E. KIDD,
W. B. KOONTZ,
JAMES JEFFRIES.

MINORITY REPORT.

New Orleans, February 25, 1876.

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

Just previous to the adjournment of the House yesterday the undersigned were designated by the Speaker as members of a committee appointed in pursuance of the following resolution by Mr. Kidd:

"I move that a committee of seven be appointed by the Speaker to investigate what charges, if any there are, against William P. Kellogg, demanding his impeachment, and that they report as early as practicable."

Late last evening we were informed that the committee would meet at nine o'clock this morning, sharp. In the meantime the Governor addressed to the committee, in writing, the following request:

"I respectfully request to be informed when your committee proposes to enter upon this investigation, in order that I may appear in person or by counsel, as provided by section 1739, Revised Statutes.

The majority of the committee refused to accede to this request. As members of the committee, we demanded an opportunity to investigate the charges made. This has been denied us. The manner in which the resolution for the appointment of the committee was sprung yesterday in the House and forced through without the requisite suspension of the rules, and all the proceedings had thereunder, appear to us altogether unjustifiable, and as indicating a determination on the part of the majority, without regard to precedent, parliamentary law or constitution of the State, or common justice, to attempt to inaugurate revolution in order to subvert the government.

The resolution adopted on yesterday calls for an investigation as to the charges against William Pitt Kellogg, but no investigation has been had; not one item of testimony of any kind whatever has been adduced. Nevertheless the committee have determined by a majority to make a report to the House charging the Governor with high crimes and misdemeanors in office, and asking for the appointment of a committee to report him to the Senate for trial. In the opinion of the undersigned such haste is unbecoming the dignity of this House, and operates injustice to the accused.

We therefore protest against the action of the committee, and demand of the House what the committee have denied us, the right to hear the witnesses and evidence on which so grave charges are based, before they shall take any action on the report presented by a majority of the committee.

Respectfully submitted.

A. B. LEVISEE.
HENRY DEMAS.

Mr. Guichard made a point of order that a motion was made to adjourn and a call for the yeas and nays had been made.

Which point of order the Speaker decided had already been acted upon, and consequently was out of order.

Mr. Guichard appealed from the decision of the Chair, and upon that motion called for the yeas and nays, pending which Mr. Souer moved to take a recess till seven o'clock, and called the yeas and nays, which resulted as follows:

Yeas—Butler, Baker, Carville, Cousin, Davidson, Dickenson, Demas, Guichard, Grant, Hill of Ascension, Hubeau, Honore, Hunsaker, Johnson of Caddo, Jones of Pointe Coupee, Keyes, Lane, Lowell, Levisee, Parker, Randall, Ray, Raby, Sutton, Snaer, Sartain, Souer, Stewart, Thomas, Wilson, Woods of Ouachita, Yorke—32.

Nays—Aldige, Booth, Byrne, Burkhardt, Blaffer, Bower, Beasley, Billiu, Collins, Carmouche, Carloss, Dupre, DeBlanc, Dugas, Durr, Delhommer, Dunn, Edwards of Tangipahoa, Edwards of Richland, Elliott, Gracien, Gilmore, Hall, Hill of Ouachita, Hammond, Jeffries, Koontz, Kummel, Keeting, Kelly, Kidd, Luckett, Lafargue, Maginnis, Meredith, Matthews of Franklin, Martin, Milon, McCollam, McAlpine, Nunez, Pascal, Pipes, Roman, Richardson, Ridgely, Smith, Self, Seeman, Sibilski, Schenck, Stafford, Scales, Schuler, Voorhies, Vidrine, Walker, Wiltz, Wells, Webb, Young—61.

And the House refused to take a recess.

The question recurring on the appeal taken from the decision of the Chair on the point of order raised by Mr. Guichard, Mr. Guichard called for the yeas and nays, which gave the following result.

The following members voted to sustain the decision of the Chair:

Yeas — Aldige, Booth, Byrne, Burkhardt, Bayley, Blaffer, Bower, Beasley, Billiu, Collins, Carmouche, Carloss, Dupre, DeBlanc, Dugas, Durr, Dunn, Delhommer, Edwards of Tangipahoa, Edwards of Richland, Elliott, Grant, Gilmore, Hall, Hammond, Jeffries, Johnson of Lafourche, Koontz, Kummel, Kelly, Luckett, Levisee, Lafargue, Maginnis, Meredith, Mitchell, Martin, McCollam, McAlpine, Nunez, Pascal, Parker, Pipes, Roman, Richardson, Smith, Seeman, Sibilski, Schenck, Stafford, Scales, Schuler, Voorhies, Vidrine, Walker, Wiltz, Wells, Webb, Young—59.

The following against the Chair:

Nays — Butler, Baker, Cousin, Davidson, Dewees, Dickenson, Demas, Hill of Ascension, Hahn, Hubeau, Hill of Ouachita, Honore, Hunsaker, Johnson of Caddo, Jones of Pointe Coupee, Keeting, Keyes, Lane, Murrell, Milon, Matthews of Tensas, Piles, Randall, Ray, Raby, Sutton, Snaer, Sartain, Stewart, Thomas, Wilson, Woods of Ouachita, Woods of West Baton Rouge, Yorke—34.

And the decision of the Chair was sustained.

On motion of Mr. Wiltz the minority were permitted to make their report, and on motion of the same member it was ordered to be joined to the majority report, with the accompanying resolutions, and that they lie over under the rules, which motion unanimously prevailed.

On motion of Mr. Billiu the House adjourned till Monday next, at 10 A. M.

PETER J. TREZEVANT,
Chief Clerk.

Forty-fifth Day's Proceedings.

House of Representatives, New Orleans, February 28, 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:

Speaker Estilette, and Messrs. Booth, Byrne, Bayley, Bower, Butler, Baker, Beasley, Billiu, Brice, Collins, Carloss, Dupre, DeBlanc, Durr, Dewees, Dickenson, Delhommer, Dunn, Edwards of Richland, Elliott, Grant, Gracien, Gilmore, Hall, Hill of Ascension, Hahn, Hubeau, Hill of Ouachita, Hammond, Hunsaker, Jeffries, Jourdain, Johnson of Caddo, Koontz, Kummel, Keeting, Kelly, Lane, Luckett, Lowell, Levisee, Lafargue, Maginnis, Meredith, Mitchell, Matthews of Franklin, Martin, Murrell, Milon, McCollam, McAlpine, Nunez, Pascal, Piles, Pipes, Roman, Richardson, Randall, Raby, Smith, Sutton, Self, Snaer, Sartain, Souer, Seeman, Schenck, Stafford, Scales, Schuler, Thomas, Voorhies, Walker, Wiltz, Wilson, Woods of Ouachita, Woods of West Baton Rouge, Wells, Young—80.

Proceedings were opened with prayer by the Rev. Mr. Walker, of the Methodist Church South.

On motion of Mr. Randall the reading of the minutes of Saturday was dispensed with, and their further consideration was postponed till Wednesday next.

On motion of Mr. Hall the minutes of Thursday were adopted as corrected.

On motion of Mr. Matthews, of Tensas, the minutes of Friday were adopted as corrected.

Mr. Matthews, of Tensas, moved to reconsider the vote by which the committee to investigate certain charges, if any, against William P. Kellogg were allowed to make their report.

And upon that motion Mr. Matthews called for the yeas and nays, which gave the following result:

Yeas—Butler, Baker, Carville, Cousin, Davidson, Dewees, Dickenson, Guichard, Grant, Gracien, Hill of Ascension, Hahn, Hubeau, Hill of Ouachita, Honore, Hunsaker, Jourdain, Johnson of Caddo, Jones of Pointe Coupee, Keeting, Keyes, Lane, Lowell, Levisee, Murrell, Milon, Matthews of Tensas, Parker, Piles, Randall, Ray, Raby, Sutton, Snaer, Sartain, Souer, Stewart, Thomas, Wilson, Woods of West Baton Rouge, Woods of Ouachita, Yorke—42.

Nays—Booth, Byrne, Burkhardt, Bayley, Bower, Beasley, Billiu, Brice, Collins, Carmouche, Carloss, Dupre, DeBlanc, Durr, Dunn, Delhommer, Edwards of Tangipahoa, Edwards of Richland, Elliott, Gilmore, Hall, Hammond, Jeffries, Koontz, Kummel, Kelly, Kidd, Luckett, Lafargue, Maginnis, Meredith, Mitchell, Matthews of Franklin, Martin, McCollam, McAlpine, Nunez, Pascal, Pipes, Roman, Richardson, Smith, Self, Seeman, Sibilski, Schenck, Stafford, Scales, Schuler, Voorhies, Vidrine, Walker, Wiltz, Wells, Webb, Young—56.

So the motion to reconsider was lost.

On motion of Mr. Wiltz the report of the committee was taken up.

On motion of Mr. Souer the reading of the report was dispensed with.

Mr. Souer moved the adoption of the minority report.

Mr. Wiltz moved to lay Mr. Souer's motion on the table.

On the motion to lay upon the table Mr. Souer called the yeas and nays, which resulted as follows:

Yeas—Booth, Byrne, Burkhardt, Bayley, Blaffer, Bower, Beasley, Billiu, Brice, Collins, Carmouche, Carloss, Dupre, DeBlanc, Dugas, Durr, Dunn, Delhommer, Edwards of Tangipahoa, Edwards of Richland, Elliott, Gilmore, Hall, Hammond, Jeffries, Koontz, Kummel, Kelly, Kidd, Lowell, Lafargue, Maginnis, Meredith, Mitchell, Matthews of Franklin, Martin, McCollam, McAlpine, Nunez, Pascal, Pipes, Roman, Richardson, Smith, Self, Seeman, Sibilski, Schenck, Stafford, Scales, Schuler, Voorhies, Vidrine, Walker, Wiltz, Wells, Webb, Young—58.

Nays—Armstead, Butler, Baker, Carville, Cousin, Davidson, Dewees, Dickenson, Guichard, Grant, Gracien, Hill of Ascension, Hahn, Hubeau, Hill of Ouachita, Honore, Hunsaker, Jourdain, Johnson of Caddo, Jones of Pointe Coupee, Keeting, Keyes, Lane, Lowell, Levisee, Murrell, Milon, Matthews of Tensas, Parker, Piles, Randall, Ray, Raby, Sutton, Snaer, Sartain, Souer, Stewart, Thomas, Wilson, Woods of West Baton Rouge, Woods of Ouachita, Yorke—43.

So the minority report was ordered to lie upon the table.

Mr. Wiltz moved the adoption of the majority report and the accompanying resolutions.

The subject was then open to debate, after which the question recurring on the adoption of the majority report, Mr. Wiltz called the previous question.

The Speaker then put the question, "shall the main question be now put?" Which being decided in the affirmative, Mr. Wiltz called for the yeas and nays on the adoption of the report with the resolution which resulted as follows:

Yeas—Aldige, Booth, Byrne, Burkhardt, Bayley, Blaffer, Bower, Beasley, Billiu, Brice, Collins, Carmouche, Carloss, Dupre, DeBlanc, Dugas, Dunn, Durr, Delhommer, Edwards of Tangipahoa, Edwards of Richland, Elliott, Gilmore, Hall, Hammond, Jeffries, Johnson of Lafourche, Koontz, Kummel, Kelly, Kidd, Lowell, Lafargue, Maginnis, Meredith, Mitchell, Matthews of Franklin, Martin, McCollam, McAlpine, Nunez, Pascal, Pipes, Roman, Richardson, Smith, Self, Seeman, Sibilski, Schenck, Scales, Schuler, Voorhies, Vidrine, Walker, Wiltz, Walters, Wells, Webb, Young—61.

Nays—Armstead, Butler, Baker, Carville, Cousin, Davidson, Dewees, Dickenson, Demas, Guichard, Grant, Gracien, Hill of Ascension, Hahn, Hubeau, Hill of Ouachita, Honore, Hunsaker, Jourdain, Johnson of Caddo, Jones of Pointe Coupee, Keeting, Keyes, Lane, Lowell, Levisee, Murrell, Milon, Matthews of Tensas, Parker, Piles, Ridgely, Ray, Raby, Sutton, Snaer, Sartain, Souer, Stafford, Stewart, Thomas, Wilson, Woods of West Baton Rouge, Woods of Ouachita, Yorke—45.

And the report of the majority of the committee and the resolutions accompanying the same were adopted.

Mr. Stafford having previously obtained leave gave the following explanation to his vote:

I vote no, for the following reasons: That the result of impeachment, if only constitutional means are used, will either make no change in the executive department, or if any be made, the succession would devolve, first, on Lieutenant Governor Antoine, who would, in my opinion, be only a tool in the hands of Marshal Packard, one of the most unscrupulous minions of power ever foisted upon an unhappy people; or next, as will be claimed, on the President pro tem of the Senate, Senator Thomas C. Anderson, rendered notorious by his connection with the infamous Returning Board of 1874; I can not see that the State would be benefited by such changes. Any result beyond this could only be attempted by revolutionary measures, plainly I deem, in conflict with the joint resolution passed at the extra session, which I agreet to "not disturb the present State government, claiming to have been elected in 1872, known as the Kellogg government," would end in defeat, and possibly engender confusion, strife, and, perhaps, bloodshed, a state of affairs ever to be deplored, except when dictated by imperious necessity. Finally, I fear that the excitement necessarily produced will effectually estop the passage of measures of material relief so much needed and urgently demanded by our suffering people, and more important to them at this time than mere political or party advantages.

GEORGE W. STAFFORD,
Representative from Rapides.

Mr. Lowell raised the point of order that it requires a vote of two-thirds of the members present to adopt the report of the majority of the committee and the resolution accompanying the same.

Which point of order the Speaker decided not to be well taken.

Whereupon the Speaker announced that, by a vote of the House of Representatives, William Pitt Kellogg, Governor of the State of Louisiana, has been impeached for high crimes and misdemeanors.

The Speaker of the House made the following announcement, to wit:

In pursuance of the resolutions just passed, Messrs. Young, Wiltz, Jeffries, Wells, of Livingston, and Lafargue, are appointed a committee to go to the Senate, and at the bar thereof, in the name of the House of Representatives and of all the people of Louisiana, to impeach William Pitt Kellogg, Governor of the State of Louisiana, of high crimes and misdemeanors in office, and acquaint the Senate that the House of Representatives will, in due time, exhibit particular articles of impeachment against him and make good the same; and the said committee are directed to demand that the Senate take order for the appearance of the said William Pitt Kellogg to answer to said impeachment.

On motion of Mr. Kidd:

Ordered, That the above committee be requested to withdraw in order to carry out the object of their appointment.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

Senate Chamber, New Orleans, February 28, 1876.

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

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

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.

Senate bill No. 168, an act to exempt from State and parish taxes lands overflowed by the Grand Levee and Bonnet Carre and other crevasses now existing.

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

Also that the Senate concurs in the passage of the following House bills:

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. 11, entitled an act to repeal an act entitled an act relative to public printing, approved July 24, 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, with amendments.

House bill No. 482, entitled an act making an appropriation of $169,921 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 the 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, with amendments.

Respectfully,
L. LAMANIERE, JR.,
Assistant Secretary of the Senate.

Senate Chamber, New Orleans, February 28, 1876.

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

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

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 mem-

[CONTINUED ON SEVENTH PAGE.]