OFFICIAL JOURNAL

—OF THE—

FIFTH GENERAL ASSEMBLY

—OF THE—

STATE OF LOUISIANA.

SENATE.

Fortieth Day's Proceedings.

SENATE CHAMBER STATE OF LOUISIANA,
New Orleans, Friday, Feb. 16, 1877.

The Senate met pursuant to adjournment, the Hon. Louis A. Wiltz, Lieutenant Governor and President of the Senate, in the chair.

On a call of the roll, the following Senators answered to their names:

Messrs. Breaux, Demas, Ducros, Ellis, Eustis, Garland, Goode, Grover, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Stubbs, Texada, Wheeler, White and Zacharie—19.

Absent—Messrs. Allain, Boatner, Bryant, Burch, Cage, Dumont, George, Gla, Harper, Kelly, Landry, Stamps, Steven, Sutton, Twitchell, Wakefield and Young—17.

On motion of Mr. Breaux the reading of the journal in detail was dispensed with.

REPORTS OF COMMITTEES.

Mr. White, chairman of the joint committee on conference, submitted the following report:

To the Honorable the President and Members of the senate:

Your committee on conference, having had under consideration Senate bill No. 62 and House amendment thereto, recommend that the House recede from its amendments.

EDWARD D. WHITE.
FRANK P. STUBBS.
F. S. GOODE.
C. J. LEEDS.
L. H. BOWDEN.

Which lies over under the rules.

Mr. Goode, Chairman of the Committee on Judiciary, submitted the following report:

To the Honorable the President and Members of the Senate:

Your Committee on the Judiciary have had under consideration House bill No 32, entitled "An act authorizing the Governor to appoint an Assistant Attorney General, defining his duties," etc., and beg leave to report a substitute therefor, and recommend its passage.

Your committee have also had under consideration Senate bill No. 46, entitled "An act to repeal an act authorizing the Governor to appoint an Assistant Attorney General," etc., and beg leave to report the same unfavorably, in consequence of the great accumulation of business in the office of the Attorney General, your committee find that there are now pending forty capital cases in the Superior Criminal Court, nine other criminal cases and seven civil cases in the Supreme Court, and eight cases in the late Superior District Court, all awaiting trial. The interests of the State require a speedy decision of these cases, and, in view of these facts, your committee deem it inexpedient, at this time, to abolish the office of Assistant Attorney General.

Also, favorably on House bill No. 93, entitled "An act fixing the return day for appeals from the courts of the parish of Tangipahoa to the Supreme Court," and recommend its passage.

Respectfully,
F. S. GOODE, Chairman.

Which lies over under the rules.

Mr. Garland, chairman of the Committee on Claims, submitted the following report:

To the Honorable President and Members of the Senate of Louisiana:

Your committee to whom you referred Senate bill No. 61, entitled "An act for the relief of Mrs. M. J. Lewis, of the parish of Ouachita," beg leave to report favorably upon said bill with the following amendment: That the word "fifty," in the second line of section 1, be erased, and the words "twenty-five" be inserted in lieu thereof. With this amendment your committee recommend the passage of said bill.

HENRY L. GARLAND,
Chairman Committee on Claims.

Which lies over under the rules.

INTRODUCTION OF BILLS.

Mr. Goode obtained unanimous consent to introduce, without previous notice, Senate bill No. 68, entitled "An act regulating the terms of prescription for taxes and the lien by which they are secured."

Which was read a first and second time under a suspension of the constitutional rules and referred to the Committee on Finance.

Senate bill No. 69, "An act making certain State warrants receivable for the four mill general State tax due by delinquents."

Which was read a first and second time under a suspension of the constitutional rules and referred to the Committee on Finance.

Mr. Zacharie obtained unanimous consent to introduce without previous notice Senate bill No. 70, entitled "An act to establish an hospital in the city of New Orleans for the treatment of indigent persons afflicted with small-pox or other contagious diseases; to provide for the management of said hospital, and to repeal act No. 60 of the session of 1872, entitled 'An act to establish an hospital for small-pox and other contagious diseases,' and all other laws or parts of laws on the same subject matter inconsistent with this act," which was read a first and second time under a suspension of the constitutional rules and referred to the Committee on Health and Quarantine.

Under previous notice, Mr. Stubbs introduced Senate bill No. 71 entitled "An act to repeal an act entitled an act declaring the effect of pardons, and requiring officers of the State to recognise all persons who may have been pardoned as restored to all civil and political rights; privileges and immunities, and providing penalty for the violation of this act, approved April 19, 1875," which was read a first time, under a suspension of the constitutional rules, read a second time, and referred to the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
New Orleans, Feb. 16, 1877.

To the Honorable the Senate of the State of Louisiana:

Gentlemen—I am directed by the House to inform your Honorable body that the House has passed the following bills, and ask the concurrence of the Senate in the same:

House bill No. 59, "An act to regulate the manner of issuance and payments of State warrants, and to repeal all laws in conflict therewith."

House bill No. 61, "An act to limit the time within which the answers of garnishees may be disproved or traversed and within which proceedings may be taken to subject any property, rights or credits in the hands of garnishees to a writ of attachment or of fieri facias, and to repeal all laws or parts of laws in conflict with or inconsistent with the provisions of this act."

House bill No. 71, "An act to repeal act No. 74, approved September 14, 1868; act No. 44, approved February 27, 1869; act No. 87, approved March 6, 1869; act No. 92, approved March 8, 1869; act No. 94, approved March 30, 1870; act No. 37, approved March 5, 1873; act No. 64, approved March 26, 1873; act No. 33, approved February 26, 1874; act No. 69, approved March 17, 1874, and act No. 16, approved March 28 1875; and to authorize the Mayor and Administrators of the city of New Orleans to organize and maintain such police as may be necessary for the order and good government of said city."

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

SPECIAL ORDER OF THE DAY.

Senate bill No. 11, entitled "An act to limit the amount to be paid by the city of New Orleans for the support of the public schools, to reduce the expenses thereof, and to authorize the reduction of taxation in conformity thereto," was, on motion of Mr. Ogden, postponed until Tuesday, February 20, 1877, at 1 o'clock.

MESSAGE FROM THE HOUSE.

To the Honorable President and Members of the Senate:

I am directed by the House of Representatives to inform your honorable body that the House is ready to proceed to ballot for United States Senator.

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

On motion of Mr. Ellis, the Senate proceeded in a body to the hall of the House of Representatives for the purpose of balloting in joint session for a United States Senator.

JOINT SESSION.

The joint session was called to order by the Hon. Louis A. Wiltz, Lieutenant Governor and President of the Senate.

On a call of the roll, the following Senators answered to their names:

Messrs. Breaux, Demas, Ducros, Ellis, Eustis, Garland, George, Goode, Grover, Kelly, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Stubbs, Texada, Wheeler and Zacharie—20.

On a call of the roll of the House the following members answered to their names:

Hon. L. Bush, Speaker, and Messrs. Aldige, Aycock, Barbin, Billieu, Bridger, Breard, Bowden, Barron, Barrett, Brady, Berry, Bell, Briggs, Carloss, Cressy, Delavigne, Duke, Dupree, Estopinal, Fitzpatrick, Foerster, Gaskins, Gillespie, Huntington, Hammond, Hill of Orleans, Jonas, Kelly of Winn, Kelly of Orleans, Kernochan, Lyons, Leeds, Lamare, Lea, Leonhard of Orleans, Martin, Means, McGehee, Newsom, Nunez, Porter, Peralta, Pitts, Robertson, Richardson, Ryland, Randolph, Ridgley, Rolle, Shakspeare, Self, Stagg, Sellers, Smart, Taylor, Tremoulet, Toler, Washburne, Wood, Williams, Young of Claiborne, Young of East Baton Rouge—63.

The President declared a quorum present in both houses, and that the joint assembly would now proceed to ballot for a United States Senator for the term commencing March 4 next.

The Secretary of the Senate read the names of the candidates, to wit:

Hon. B. F. Jonas of Orleans, Hon. Randall L. Gibson of Orleans, Hon. R. C. Wickliffe of West Feliciana, Hon. W. B. Egan of Caddo, Hon. W. A. Robertson of St. Landry.

Representative Aldige withdrew the nomination of Hon. L. Bush.

The rolls of the respective branches of the General Assembly were then called, with the following result:

Senators Eustis and Stubbs, and Representatives Aycock, Bridger, Breard, Bowden, Brady, Berry, Carloss, Duke, Dupree, Foerster, Gaskins, Gillespie, Huntington, Hammond, Lyons, Lea, Leonhard, Newsom, Peralta, Richardson, Ridgley, Shakspeare and Stagg voted for the Hon. B. F. Jonas—26 votes.

Senators Ducros, Kelly, Robertson and Sandiford and Representatives Aldige, Barrett, Billieu, Cressy, Estopinal, Fitzpatrick, Hill of Orleans, Kelly of Orleans, Leeds, Lamare, Kernochan, Rolle, Self, Smart and Tremoulet voted for Hon. R. L. Gibson—19 votes.

Senators George, Ogden, Perkins and Richardson and Representatives Porter, Ryland, Barbin, Sellers, Toler, Wood and Williams voted for the Hon. R. C. Wickliffe—11 votes.

Speaker Bush and Representatives Barron, Bell, Briggs, Jonas, Means, McGehee, Pitts, Randolph, Taylor and Washburne voted for the Hon. W. B. Egan—11 votes.

Senators Breaux, Demas, Ellis, Garland, Goode, Grover, Mitchell, Texada, Wheeler and Zacharie and Representatives Kelly of Winn, Martin, Nunez and Young of Claiborne voted for the Hon. W. A. Robertson—14 votes.

Total number of votes cast 80, necessary to a choice 41.

The President declared that as no one of the candidates had received a majority of the votes cast in joint assembly, there was no election.

On motion of Mr. Eustis the joint assembly adjourned until to-morrow at 12 o'clock m., and the Senate withdrew to its own chamber.

The Senate was called to order by Lieutenant Governor Wiltz, President of the Senate.

On a call of the roll, the following Senators answered to their names:

Messrs. Breaux, Demas, Ducros, Ellis, Eustis, Garland, George, Goode, Grover, Kelly, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Steven, Stubbs, Texada, Wheeler, White and Zacharie—22.

Absent—Messrs. Allain, Boatner, Bryant, Burch, Cage, Dumont, Gla, Harper, Landry, Stamps, Sutton, Twitchell, Wakefield and Young—14.

On motion of Mr. Robertson the rules were suspended to take up House bills on first reading at this time:

House bill No. 61, entitled "An act to limit the time within which the answers of garnishees may be disproved or traversed, and to repeal all laws or parts of laws in conflict with or inconsistent with the provisions of this act, was, on motion of Mr. Robertson, read a first and second time under a suspension of the constitutional rules, and referred to the Committee on Judiciary.

House bill No. 59, entitled "An act to regulate the manner of issuance and payments of State warrants, and to repeal all laws in conflict therewith," was, on motion of Mr. Robertson, read a first and second time under a suspension of the constitutional rules, and referred to the Committee on Finance.

House bill No. 71, entitled "An act to repeal act No. 74, approved September 14, 1868; act No. 44, approved February 27, 1869; act No. 87, approved March 6, 1869; act No. 92, approved March 8, 1869; act No. 94, approved March 30, 1870; act No. 37, approved March 5, 1873; act No. 64, approved March 26, 1873; act No. 33, approved February 26, 1874; act No. 60, approved March 17, 1874; and act No. 16, approved March 24, 1875 and to authorize the city of New Orleans to establish, organize and maintain a proper and sufficient police force; to preserve order and good government within the corporate limits of said city; to assume control of the Fire Alarm Telegraph, and to pass ordinances providing for the control, direction and pay of the said police force, and to limit the annual expense of the same," was, on motion of Mr. Robertson, read a first and second time under a suspension of the constitutional rules, and referred to the Committee on Metropolitan Police.

Mr. Steven obtained unanimous consent to submit the following report of the Committee on Finance:

ROOMS SENATE FINANCE COMMITTEE,
New Orleans, February 16, 1877.

To the Honorable President and Members of the Senate:

Your committee, to whom was referred House bill No. 68, entitled "An act amending and reenacting section three thousand seven hundred and seventy-three (3773) of the Revised Statutes, defining the duties of the State Treasurer, defining and providing for the punishment of violations of this act and repealing all laws in conflict therewith," beg leave to report favorably, with the following amendments:

In line 5, page 2, strike out the word "monthly" and insert in lieu thereof the word "quarterly."

In line 6, page 2, strike out the words "first day of every month" and insert in lieu thereof the words "second Tuesdays of January, April, July and October."

In line 9, page 2, strike out the word "month" and insert in lieu thereof the word "quarter."

In line 11, page 2, strike out the word "month" and insert in lieu thereof the word "quarter."

In line 12, page 2, insert after the word "money" the words "and warrants," and insert after the word "warrants," "He shall, moreover, prepare monthly a statement of the condition of each fund as above prescribed, to be sworn to by him; the original of said statement to be kept in his office, for examination by any one who may desire to do so, and a duplicate thereof to be deposited with the Fiscal agent for like examination."

In line 18, page 2, strike out the words "in any manner or form."

In line 22, page 2, insert after the word "and" the words "not less than one year."

In line 23, page 2, insert after the word "dollars" the words "nor less than one thousand dollars."

Respectfully submitted,
WILL STEVEN, Chairman.

Which lies over under the rules.

Mr. Eustis in the Chair.

On motion of Mr. Steven, the Senate went into executive session.

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

Mr. Wheeler in the chair.

Messrs Breaux, Ducros, Ellis, Eustis Garland, George, Goode, Grover, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Steven, Stubbs, Texada, Wheeler, White and Zacharie—20.

Absent—Messrs. Allain, Boatner, Bryant, Burch, Cage, Demas, Dumont, Gla, Harper, Kelly, Landry, Stamps, Sutton, Twitchell, Wakefield and Young—16.

Lieutenant Governor Wiltz in the chair.

Mr. Grover obtained unanimous consent to introduce the following resolution:

Resolved, That the Committee on Rules be instructed to report at its earliest convenience, what additional rules of order are necessary for the proper and the expeditious transaction of the business of the Senate.

On motion of Mr. Grover the rules were suspended and the resolution adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 16, 1877.

To the Honorable the Senate of the State of Louisiana:

I am instructed to inform your honorable body that the House recedes from its amendments to Senate bill No. 62, "An act relative to the principal and sureties on official bonds," and concurs in the bill.

PETER J. TREZEVANT,
Chief Clerk.

Mr. Breaux obtained unanimous consent to give notice at this time that at some future day he would introduce a bill, entitled "An act to enlarge the boundary of the parish of Pointe Coupee."

Mr. Zacharie moved to reconsider the vote whereby Senate bill No. 65 was committed to the Committee on Railroads.

Mr. Robertson made the point of order that the bill was not before the Senate, it having been placed in the hands of a committee.

The Chair decided the point well taken.

On motion of Mr. Zacharie the Committe on Railroads were directed to report Senate bill No. 65, entitled "An act to authorize the consolidating of connecting or intersecting railroad companies; to establish the forms under which the same may be effected; to authorize such consolidated companies to issue bonds and to secure the same by mortgage, and to enumerate and confer certain powers on such consolidated companies," as soon as practicable.

On motion of Mr. Steven, House bill No. 68, entitled "An act amending and re-enacting section 3773 of the Revised Statutes, defining the duties of the State Treasurer, and providing for the punishment of violations of this act, and repealing all laws in conflict therewith, reported by the Committee on Finance, with amendments, was taken up.

On motion of Mr. Steven, the amendments reported by the committee were adopted.

On motion of Mr. Steven, the bill was ordered to be a read a third time.

On motion of Mr. Steven, the constitutional rules were suspended, the bill was read a third time, finally passed, title adopted and ordered sent to the House for concurrence.

Mr. White called up report of the Committee on Judiciary on Senate bill No. 46, and House bill No. 48, substitute for House bill No. 32, reported by substitute.

Mr. Mitchell, chairman of the Committee on Railroads in obedience to instructions of the Senate, returned Senate bill No. 65.

On motion of Mr. White Senate bill No. 72, substitute for House bill No. 48, entitled "An act to authorize the Governor to appoint an Assistant Attorney General, defining his duties and fixing his compensation, to fix the commissions which shall be paid the Attorney General upon all sums collected by him in litigated cases and paid into the State treasury; and to repeal act No. 35, approved March 3, 1874," was read a first time.

On motion of Mr. White, the constitutional rules were suspended to place the bill upon its second reading.

The bill was read a second time.

Mr. White moved to consider the bill engrossed and pass it to its third reading.

On motion of Mr. White, the Senate adjourned until Saturday, February 17, 1877, at 12 o'clock m.

JOHN CLEGG,
Secretary of the Senate.

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STATE OF LOUISIANA.

HOUSE OF REPRESENTATIVES.

Fortieth Day's Proceedings.

HOUSE OF REPRESENTATIVES,
New Orleans, La., February 16, 1877.

The House was called to order. Present:

Hon. L. Bush, Speaker; and Messrs. Aldige Aycock, Barbin, Billieu, Bridger, Breard, Bowden, Barron, Barrett, Brady, Berry, Bell, Briggs, Carloss, Cressy, Delavigne, Duke, Dupree, Estopinal, Fitzpatrick, Foerster, Gaskins, Gillespie, Huntington, Hammond, Hill of Orleans, Jonas, Kelly of Winn, Kelly of Orleans, Kernochan, Lyons, Leeds, Lamare, Lea, Leonhard of Orleans, Martin, Means, McGehee, Newsom, Nunez, Porter, Peralta, Pitts, Richardson, Robertson, Ryland, Randolph, Ridgley, Shakspeare, Self, Stagg, Sellers, Smart, Taylor, Tremoulet, Toler, Washburne, Wood, Williams, Young of Claiborne and Young of East Baton Rouge.

Sixty-two members and a quorum of the House.

Prayer was offered by the Rev. Dr. Palmer, of the First Presbyterian Church.

The adoption of the Journal of Thursday February 15, was postponed on motion of Mr. McGehee.

PETITIONS, MEMORIALS AND RESOLUTIONS.

Mr. Berry presented the memorial of merchants of New Orleans protesting against and objecting to the passage of the bill to incorporate the Board of Trade of New Orleans. Referred to the Committee on Agriculture, Immigration and Commerce.

Mr. McGehee offered the following resolution:

Resolved, That when the House adjourns daily after the noon session, it shall adjourn until 7 p. m. every evening until the close of the session.

Mr. Brady moved to amend by fixing the hour of meeting each day at 10 o'clock a. m.

Mr. Kernochan moved as a substitute the following:

Resolved, That the House meet every Monday, Wednesday and Friday evening, till the close of the session, at 7 o'clock.

Both amendments were laid upon the table.

On the motion to lay upon the table the original resolution the yeas and nays were ordered, with the following result:

Yeas—Messrs. Barrett, Brady, Berry, Briggs, Barbin, Billieu, Carloss, Gaskins, Huntington, Hammond, Jonas, Kelly of Wian, Lamare, Lea, Nunez, Peralta, Randolph, Rolle, Shakspeare, Tremoulet and Young of Claiborne—21 yeas.

Nays—Speaker Bush, and Messrs. Aldige, Aycock, Bridger, Breard, Bowden, Barron, Bell, Cressy, Delavigne, Duke, Dupree, Estopinal, Fitzpatrick, Foerster, Gillespie, Kelly of Orleans, Kernochan, Lyons, Leeds, Leonhard of Orleans, Martin, Means, McGehee, Newsom, Porter, Pitts, Richardson, Ryland, Ridgley, Self, Stagg, Sellers, Smart, Taylor, Toler, Washburne, Wood and Williams—40 nays.

The motion to lay on the table was lost.

The motion to adopt the resolution was lost.

Mr. Brady moved that when the House adjourns each day it shall be to the hour of 10 a. m. The motion was carried.

Leave of absence was granted to Mr Steele of Union for four days, beginning Monday, February 19.

Mr. Berry presented the memorial of J. M. Weymouth, which was referred to the Committee on Claims.

JOINT SESSION.

At 12 o'clock m. the Senate entered the Hall of Representatives, Hon. Louis A. Wiltz, Lieutenant Governor, presiding, for the purpose of uniting with the House in a joint session of the General Assembly with a view to further balloting for a Senator to represent the State of Louisiana in the Senate of the United States for the term beginning March 4, 1877.

On a call of the roll the following Senators answered to their names:

Messrs. Breaux, Demas, Ducros, Ellis, Eustis, Garland, George, Goode, Grover, Kelly, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Texada, Wheeler and Zacharie.

Twenty Senators and a quorum of the Senate.

The roll of the House was called and the following members answered to their names:

Hon. L. Bush, Speaker; Messrs. Aycock, Aldige, Bridger, Breard, Bowden, Barron, Barrett, Brady, Berry, Bell, Briggs, Barbin, Billieu, Carloss, Cressy, Delavigne, Duke, Dupree, Estopinal, Fitzpatrick, Foerster, Gaskins, Gillespie, Huntington, Hammond, Hill of Orleans, Jonas, Kernochan, Kelly of Winn, Kelly of Orleans, Lyons, Leeds, Lamare, Leonhard of Orleans, Lea, Martin, Means, McGehee, Newsom, Nunez, Porter, Peralta, Pitts, Richardson, Ryland, Robertson, Randolph, Rolle, Ridgley, Shakspeare, Self, Stagg, Sellers, Smart, Taylor, Tremoulet, Toler, Washburne, Wood, Williams, Young of Claiborne, and Young of East Baton Rouge.

Sixty-three members and a quorum of the House.

The purpose of this joint session was announced by the presiding officer, and the nominations were read as follows:

Messrs. Jonas, Gibson, Wickliffe, Egan, and Robertson.

Mr. Aldige, at the request of Mr. Buck, withdrew the nomination of Hon. L. Bush of Orleans.

There being no other nominations, the roll of the House was called with the following result:

Senators Eustis and Stubbs voted for Hon. B. F. Jonas—2.

Senators Ducros, Kelly, Robertson and Sandiford voted for Hon. R. L. Gibson—4.

Senators Breaux, Demas, Ellis, Garland, Goode, Grover, Mitchell, Texada, Wheeler and Zacharie voted for Hon. W. A. Robertson—10.

Senators George, Ogden, Perkins and Richardson voted for Hon. W. B. Egan—4.

The roll of the House was called, when the following members voted for the Hon. B. F. Jonas:

Messrs. Aycock, Bridger, Breard, Bowden, Brady, Berry, Carloss, Duke, Dupree, Foerster, Gaskins, Gillespie, Huntington, Hammond, Lyons, Lea, Leonhard, Newsom, Peralta, Richardson, Shakspeare, Stagg and Ridgley—23

The following members voted for the Hon. Randall L. Gibson:

Messrs. Aldige, Barrett, Cressy, Estopinal, Fitzpatrick, Hill of Orleans, Kelly of Orleans, Leeds, Lamare, Kernochan, Rolle, Self, Billieu, Smart and Tremoulet—15.

The following members voted for the Hon. R. C. Wickliffe:

Messrs. Barbin, Porter, Ryland, Sellers, Toler, Wood and Williams—7.

The following members voted for the Hon. W. B. Egan:

Speaker Bush and Messrs. Barron, Bell, Briggs, Jonas, Means, McGehee, Pitts, Randolph, Taylor and Washburne—11.

The following members voted for the Hon. W. A. Robertson:

Messrs. Kelly of Winn, Martin, Nunez and Young of Claiborne—4.

Total vote 80; necessary to a choice 41.

No one candidate having received a majority of all the votes cast, it was declared by the presiding officer that there had been no election and the Senate, on motion of Mr. Eustis, withdrew to its chamber.

COMMITTEE SERVICE.

Mr. Leeds, of the Committee on Conference, on the disagreeing votes of the House and Senate on the amendment made by the House to Senate bill No. 62, presented the following report:

To the honorable, the Speaker and members of the House of Representatives:

Your Committee on Conference having had under consideration Senate bill No. 62 and House amendments thereto recommend that the House recede from its amendments.

CHAS. J. LEEDS,
L. H. BOWDEN,
EDWARD D. WHITE,
FRANK P. STUBBS,
F. S. GOODE.

The report was received, and on the motion of Mr. Leeds the House receded from its amendment, and information thereof was communicated to the Senate.

Mr. Jonas, chairman, on behalf of the Committee on the Judiciary, reported as follows:

NEW ORLEANS, Feb. 16, 1877.

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

Your Committee on Judiciary have the honor to submit the following report:

Favorably on Senate bill No. 54, "An act to remit penalties on delinquent taxes in certain cases."

Favorably on Senate bill No. 52, "An act to provide for the promulgation of laws when the Governor has failed or shall fail to return the same, as required by Article 66 of the Constitution, as in cases when after reaching the Governor the enrolled copy has been lost or mislaid, or for any reason not been returned; and to provide for the signing by the President of the Senate and Speaker of the House of duplicate enrolled copies of all laws.

Favorably on senate bill No. 28, "An act in relation to recusation of judges and district attorneys in criminal cases, and to amend and re-enact section 1067 of the Revised statutes of the state of Louisiana," approved 14th March, 1870.

Favorably on House bill No. 74, "An act to repeal act No. 48, approved April 1, 1875, and to provide the manner of filling any vacancy that may exist in the office of Governor and Lieutenant Governor; to provide for the suspension from office of the Governor and Lieutenant Governor pending impeachment, and for other purposes."

House bill No. 107, "An act to amend section 1859 and to repeal section 1863 of the Revised statutes of 1870 of the State of Louisiana," is reported back by committee with recommendation that it be referred to Committee on Agriculture, Commerce and Immigration.

House bill No. 116, "An act to carry into effect an act for the relief of parties who have paid their taxes to the draining company in the parish of Orleans," approved March 22, 1866," is reported back by committee, with recommendation that it be referred to Committee on Claims.

House bill No. 115, "An act to regulate the office of Wardens for the port of New Orleans, and to repeal sections 2217 and 2219 of the Revised Statutes of Louisiana," is reported back with recommendation that it be referred to Committee on Agriculture, Commerce and Immigration.

Favorably, with amendments, on House bill No. 95, "An act to define liens, privileges and judgments for taxes and assessments on real property, and to limit the same, and to define the duties of sheriffs and recorders of mortgages in relation thereto."

Favorably, with amendments, on House bill No. 103, "An act to provide for the relief of persons and corporations whose properties have been sold for taxes, and creditors with mortgage and other liens; to remit penalties thereon, and to provide for the manner of redeeming said properties."

Favorably, with amendment, on House bill No. 117, "To provide for the transfer of rights and franchises to purchasers of railroads under foreclosure of mortgage upon the same; to provide for the organization by such purchasers of new railroad companies; to authorize such new companies to borrow money, and to secure the same by mortgage, and invest such organized companies with certain rights and powers, and to impose on them certain duties."

B. F. JONAS, Chairman.

On motion of Mr. Berry, House bill No. 107 was taken up under a suspension of the rules and referred to the Committee on Agriculture, Immigration and Commerce.

On motion of Mr. Jonas, Senate bill No. 53, under a suspension of the rules, was taken up under the foregoing favorable report. The bill was passed to its third reading, and under a further suspension of the rules was read a third time and passed. The title of the bill was adopted, and notice of concurrence ordered to be sent to the Senate.

On motion of Mr. Jonas, Senate bill No. 54, under a suspension of the rules, was taken up under the foregoing favorable report.

On the motion of Mr. Hill of Orleans the bill was amended by inserting in line ten of section 1, after the word "State" the word "municipal."

Under a further suspension of the rules the bill as amended was read a third time and passed. The title was adopted, and notice of concurrence ordered to be sent to the Senate.

Mr. Lyons in the chair.

On motion of Mr. Jonas Senate bill No. 28 was taken up under a suspension of the rules and under the foregoing favorable report it underwent its several readings and was passed. The title was adopted, and notice of concurrence was ordered to be sent to the Senate.

HOUSE BILLS ON SECOND READING.

Mr. Jonas asked and obtained the consent of the House to take up House bill No. 63, An act to fix the cash deposit fees on suits brought in the district and parish courts throughout the State, the parish of Orleans excepted.

Under a suspension of the rules the bill was ordered to be taken as engrossed, was read a third time and passed. The title was adopted.

Mr. Ryland asked and obtained the consent of the House to take up House bill No. 113, an act to exclude certain lands from drainage limits as heretofore established, to cancel liens and judgments for drainage of said lands, and to repeal certain laws relative to drainage of the parishes of Orleans and Jefferson.

Under the favorable report, with amendment, from the Committee on Canals and Drainage, the amendment recommended by said committee was adopted, as follows:

To section 2 add "provided further that all lands situated within the above described lines and excluded by this act from the drainage limits established under previous laws, and upon which drainage taxes or assessments have already been paid, shall hereafter be exempt from all future drainage assessments."

On the motion of Mr. Delavigne the bill was further amended, as follows:

Section 1, line 9, strike out all from line 9, after the word "lands," to line 19, stopping at the word "be," and substitute instead, "included between the lower limits of the city Lake Pontchartrain, along the New Orleans Canal, to the Metairie road; thence along the Metairie road to Bayou St. John; thence along Bayou St. John to Marigny avenue; thence along Marigny avenue to Bayou Sauvage; thence along Bayou Sauvage to People's avenue; thence along People's avenue to Lafayette avenue; thence along Lafayette avenue to Claiborne street; thence along Claiborne street to Poland street; thence along Poland street to the river Mississippi."

The second section was amended by adding at the end thereof the following:

"*Provided further*, that all lands situated within the above described lines, and excluded by this act, from the drainage limits established under previous laws, and upon which drainage taxes or assessments have already been paid, shall hereafter be exempt from all future drainage assessments."

The section as amended was adopted.

The bill as amended was ordered to be taken as engrossed, and under a further suspension of the rules was read a third time and passed. The title was adopted.

BILLS INTRODUCED.

The following named members asked and obtained leave to introduce the following entitled bills, which were severally read, and under a suspension of the constitutional rule were passed to their second reading, placed upon the Calendar, and referred as follows:

By Mr. Estopinal—

House bill No. 118, "An act to incorporate the Mississippi, Terre-aux-Bœufs and Lake Railroad Company, and to define its powers and authority."

To the Committee on Corporations.

By Mr. Washburne—

House bill No. 119, "An act to authorize police juries to provide a revenue sufficient to defray parish expenses."

Referred to the Committee on the Judiciary.

By Mr. Hill, of Orleans—

House bill No. 120, "An act to provide for the collection of city taxes and giving jurisdiction to all the district courts for the parish of Orleans for said purpose, and fixing the fees of the clerks, Sheriff and Recorder of Mortgages in such cases."

Referred to the Special Committee on City Affairs.

On the motion of Mr. Leeds Senate bill No. 16, "An act to regulate and fix the fees and compensation of tax collectors for the collection of all taxes throughout the State, and for the listing of property for taxation in all the parishes of the State except the parish of Orleans," was taken up under the unfavorable report of the Committee on Ways and Means and recommitted to said committee.

Senate bill No. 55, "An act to create an additional justice of the peace and constable in the Fourth Ward of the parish of Natchitoches, to be located on False river, in said parish; to define its jurisdiction, and to provide for the election of the same, and to prescribe the manner of filling the same," was taken up on its first reading, passed to its second reading, and referred to the Committee on Parochial Affairs.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, February 16, 1877.

To the Honorable the House of Representatives of Louisiana:

Gentlemen—I am directed by the Senate to inform your honorable body that the Senate has concurred in the following House bills, viz: House bill No. 79, entitled "An act to provide for supplying the loss of public records and other papers consumed by the burning of the courthouse in the parish of Livingston on the night of the 14th of October, 1875."

House bill No. 46, substitute for House bill No. 20, entitled "An act to authorize plaintiffs in suits by provisional seizure to bond property after the expiration of the ten days, when the defendant has failed or neglected to bond the same," with amendments.

Also House bill No. 49, entitled "An act to amend and re-enact the act entitled 'An act to amend and re-enact sections Nos. 359, 360 and 361 of the Revised statutes, and to do away with unnecessary costs and expenses in the cancelling of official bonds,'"

Very respectfully, etc.,
JOHN CLEGG,
Secretary of the Senate.

House bill No. 54, relative to the assessment and collection of taxes, was on motion of Mr Washburne taken up pending the motion to adopt section 30, to be taken as section 29. The section was adopted.

Section 9 was reconsidered, and on motion of Mr. Leonhard of Orleans the amendment of the House to the amendment of the Committee of the Whole, was amended by striking out the word "to." And the amendment of the Committee was amended by striking out the word "and" between the words "jury" and "the," and the word "by" between the words "or" and "any." The section was adopted as amended.

Section 5 being reconsidered, the amendment of the committee was amended by striking out the words "aiding him in" between the words "purpose of" and "making." The section as amended was adopted.

Section 12 was reconsidered, and amended by striking out the word "to" between the words "but" and "attend," and inserting in lieu thereof the word "shall," and the section was adopted as amended.

Section 18 was reconsidered, and amended by striking out the word "and" in line 11, after the word "rice." The section was adopted as amended.

Section 31, becoming section 30, was adopted as amended by the committee, by striking out in line 3 the word "sixty" and inserting in lieu thereof the word "thirty."

Section 32 becoming section 31 was adopted as amended, by the committee, as follows:

In line 15, after the word "interest," strike out all to the end of the section and insert in lieu thereof the words: "The assessor shall be required to call to his assistance two taxpayers—one to be chosen by the complainant and one by the taxpayer assessed—and in case of disagreement they shall call a third party to act as umpire, whose decision shall be final, unless the taxpayer, under oath, shall allege that gross injustice has been done to him, in which case an appeal shall lie to the courts."

Section 33 becoming section 32 was stricken out.

Section 34 becoming section 32 was also stricken out.

Section 35 becoming section 32 was amended by striking out all after the word "rolls" in fourth line, and the said word "rolls" was changed to "roll," and the section was adopted as amended.

Section 36 becoming section 33 was amended by striking out from the word "parishes" in line 8, to the word "one," in line 10. The section was adopted as amended.

Section 37 becoming section 34, the following was adopted as a substitute:

"That the State and parish taxes shall be extended on the two copies of the rolls to be delivered to the recorder and the Tax-Collector."

Section 38 becoming section 35 was stricken out.

Section 39 becoming section 35 was amended by inserting after the word "five" in line 19 the word "fifteen," and change the words "thirty-two" to "thirty-one" at the end of the section.

Section 40 becoming section 36 was amended by striking out in line 13 the word "and" and by inserting in line 14 after the word "taxes" the following words: "and for municipalities, for municipal taxes, and such rights shall be concurrent for all of said taxes." Also in line 26, after the word "well," strike out the word "as."

On motion of Mr. McGehee, the bill was made the special order of the day from day to day, at 11 o'clock a. m., until finally disposed of.

On motion of Mr. Bridger, the House adjourned to 10 o'clock a. m., Saturday, Feb. 17.

PETER J. TREZEVANT,
Chief Clerk.

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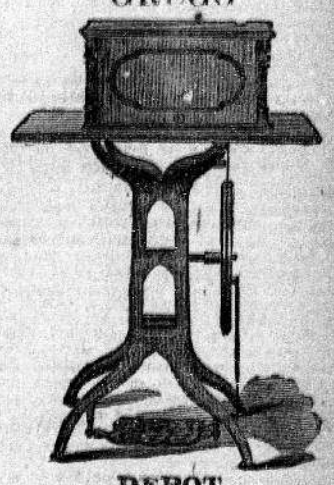

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