OFFICIAL JOURNAL

—OF THE—

FIFTH GENERAL ASSEMBLY

—OF THE—

STATE OF LOUISIANA.

SENATE.

EXTRA SESSION OF 1877.

Fifteenth Day's Proceedings.

SENATE CHAMBER,
New Orleans, Monday, March 19, 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. Boatner, Ducros, Ellis, Eustis, Garland, George, Goode, Kelly, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Steven, Stubbs, Texada, Wheeler, White and Zacharie—19.

Absent—Allain, Breaux, Bryant, Burch, Cage, Demas, Dumont, Garland, Gla, Grover, Harper, Landry, Stamps, Sutton, Twitchell, Wakefield and Young—17.

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

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
New Orleans, March 19, 1877.

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

Gentlemen—I am instructed to inform your honorable body that the house has concurred in the following Senate bills, viz:

Senate bill No. 107, "An act to abolish the parish of Carroll, and to create and establish in lieu thereof the two parishes of East Carroll and West Carroll," etc.

Also Senate bill No. 110, "An act to incorporate the society of the Ancient Order of Hibernians of the State of Louisiana, and exempt certain property belonging to said society from taxation, municipal and State," with amendments.

Also Senate bill No. 81, "An act to better secure holders of life insurance policies in this State; to provide a reserve therefore and for other purposes," with amendments.

I am also instructed to inform your honorable body that the House is now ready to meet the Senate in joint assembly to ballot for a United States Senator.

PETER J. TREZEVANT,
Chief Clerk.

On motion of Mr. Kelly, 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.

The roll of the Senate was called, when the following Senators answered to their names:

Messrs. Boatner, Ducros, Ellis, Eustis, Garland, George, Goode, Grover, Kelly, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Steven, Stubbs, Texada, Wheeler, White and Zacharie—21.

The roll of the House being called, the following members answered to their names:

Hon. L. Bush, Speaker; and Messrs. Aldige, Aycock, Bridger, Breard, Bowden, Barbin Barron, Billieu, Buck, Berry, Bell, Cockerham, Carloss, Cressy, Delavigne, Duke, Dupree, Estopinal, Fitzpatrick, Ferguson, Foerster, Gaskins, Gillespie, Huntington, Hammond, Jonas, Kennedy, Kelly of Winn, Kelly of Orleans, Kidd, Lyons, Leeds, Lamare, Lea, Leonhard of Orleans, Means, McGehee, Nunez, Porter, Peralta, Pitts, Richardson, Ryland, Robertson, Rolle, Ridgley, Sartain, Singleton, Self, Stagg, Steele, Sellers, Smart, Taylor, Toler, Voorhies, Washburn, Wood, Young of Claiborne and Young of East Baton Rouge—61.

The President of the joint assembly then declared the object of this joint assembly was to ballot for a United States Senator for the term commencing March 4, 1877.

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. W. G. Wyly of Carroll.

Representative Ridgley withdrew the name of Hon. Wm. B. Spencer of Concordia.

Representative Billieu nominated Hon. E. E. Kidd of Jackson.

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

Senators Garland, Grover, Ogden, Perkins and Representatives Bridger, Bowden, Berry, Bell, Cockerham, Robertson, Ferguson, Huntington, Hammond, Lyons, Lamare, Gaskins, Leonhard, Porter, Ryland, Barbin, Singleton, Stagg, Toler, Voorhies, Washburn, Wood and Young of Claiborne voted for the Hon. B. F. Jonas—26 votes.

Senators George, Sandiford and White, and Representatives Bush, Aldige, Buck, Cressy, Delavigne, Fitzpatrick, Kelly of Orleans, Kidd, Leeds, Means, McGehee, Pitts, Smart, Taylor and Young of East Baton Rouge voted for the Hon. R. L. Gibson—13 votes.

Senators Boatner, Ducros Ellis, Eustis, Goode, Kelly, Mitchell, Richardson, Robertson, Steven, Texada, Wheeler and Zacharie, and Representatives Aycock, Breard, Sartain, Barron, Carloss, Duke, Dupree, Estopinal, Foerster, Gaskins, Gillespie, Jonas, Kennedy, Kelly of Winn, Nunez, Peralta, Richardson, Rolle, Lea, Self, Billieu, Steele and Ridgley voted for the Hon. E. E. Kidd—35 votes.

Senator Stubbs and Representative Sellers voted for the Hon. W. G. Wyly—2 votes.

Total number of votes cast, 86; necessary to a choice, 44.

The President declared that as neither candidate had received a majority of the votes cast in joint assembly, there was no election.

Representative Billieu withdrew the name of Hon. E. E. Kidd, of Jackson.

On motion of Mr. Sartain, the joint assembly adjourned, and the Senate withdrew to its own chamber.

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

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

UNFINISHED BUSINESS.

The President stated that when the Senate last adjourned the question under consideration was the motion of Mr. Boatner to reconsider the vote on the election of two members of the Printing Board.

Mr. Boatner withdrew his motion.

Mr. Texada nominated Hon. Will Steven of Orleans.

Mr. Ellis nominated Hon. W. A. Robertson of St. Landry.

Mr. White moved that they be elected by acclamation.

Carried.

The Chair declared both gentlemen elected.

On motion of Mr. Grover the rules were suspended to take up House bill No. 197 entitled "An act to enable the City of New Orleans to promote the public health, and to afford greater security against fire by the establishment of a corporation to be called the 'New Orleans Water Works Company;' to authorize the said Company to issue bonds for the purpose of extending and improving the said works, and to furnish the inhabitants of New Orleans an adequate supply of pure and wholesome water; to permit the holders of water works bonds to convert them into stock, and to provide for the liquidation of the bonded and floating debt of the City of New Orlerns."

The reading of the bill was called for. When the bill had been read the hour of one o'clock had arrived; and Mr. Steven called for the special order.

SPECIAL ORDER OF THE DAY.

House bill No. 194, 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 appointing a board to examine outstanding claims, and repealing all laws in conflict therewith, and to remit certain interest and penalties on certain unpaid taxes, and limiting the liens, privileges, and right of pledge for licenses, taxes and assessments, and appointment of assessors in all the parishes, and for the taking of the census of the youths between the ages of six and twenty-one in all the parishes of the State," was, on motion of Mr. Steven, postponed until after action on House bill No. 197.

The Senate then resumed consideration of House bill No. 194.

Mr. White offered the following amendment and moved its adoption:

Section 13, in line 5, before "works," insert "new," and after same word insert "and pipes;" after "expedient, in line 9, add "that said new works and pipes shall be commenced within twelve months after the passage of this act, and shall be, year by year, completed, so that within five years from the date of this act they shall be completed so as to give an adequate supply of water to the people of the city of New Orleans, exclusive of the Fifth District. If said work be not done as above provided, said corporation shall forfeit all exclusive privileges granted herein, and the city shall have a right to contract with any one else for a supply of water as above provided, and to expropriate the property of the corporation hereby created."

Strike out the words "and that," in line 9 section 13, and insert in lieu thereof the following: "after the completion of the new works and pipe."

Adopted.

On motion of Mr. Grover the bill was ordered read a third time.

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

Mr. Grover moved to reconsider the vote whereby the bill finally passed, and moved to lay that motion on the table, and the motion to table prevailed.

House bill No. 194 was, on motion of Mr. Steven, taken up section by section, with the amendments reported by the Finance Committee.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
New Orleans, March, 19, 1877.

To the Honorable the Senate of the State of Louisiana:

I am instructed to inform your honorable body that the House has finally passed the following House bills, and ask the concurrence of the Senate in the same:

House bill No. 254, "An act to authorize and instruct the Attorney General to bring suit against the Louisiana Levee Company for the forfeiture of their charter and the annullment of their contract with the State," etc.

Also House bill No. 265, "An act to authorize the tax collector of the First District of the State to receive as cash the receipts of E. C. Payne and other collectors given for amounts advanced on account of taxes and licenses."

Also that the House has concurred in Senate bill No. 124, "An act authorizing the appointment of an Assistant State Treasurer, defining his duties, fixing his salary, and the manner of paying the same."

PETER J. TREZEVANT,
Chief Clerk.

On motion of Mr. Boatner, further consideration of the bill was postpored until Tuesday, March 26, 1877, and made the special order of the day immediately after reading of the Journal.

Mr. Breaux in the chair,

On motion of Mr. Boatner the rules were suspended to take up Senate bill No. 129 entitled "An act to repeal act No. 9 of 1874, relative to the unlicensed sale of lottery tickets in the city of New Orleans, and conferring on the police courts power to suppress the same. Also act No. 10, of 1874, relative to crimes and offences to declare the sale of illegal lottery tickets, or the drawing of any illegal lottery a misdemeanor, and to provide for the punishment of the same and to regulate the evidence to be received upon the trial of such offences."

The bill was read a second time.

Mr. Boatner moved that the bill be referred to the Committee on Judiciary,

Lieutenant-Governor Wiltz in the chair.

Mr. Breaux moved as a substitute that the bill be made the special order of the day for Tuesday, March 28, 1877, at two o'clock,

Mr. Texada in the chair.

Pending the discussion upon the motion of Mr. Breaux, the special order was called up.

SPECIAL ORDER OF THE DAY.

The veto message of the Governor on Senate bill No. 95, entitled "An act annexing the parishes of Iberia and St. Martin to the Sixteenth Judicial District, and providing that the said parishes shall form a part of that Judicial District, and annexing the parish of St. Mary to the Fifteenth Judicial District and providing that it shall be one of the parishes in the said district, and the parish of Cameron to the Eighth Judicial District, of which it shall form a part, and for abolishing the Third Judicial District."

Mr. Roberson moved that the bill do finally pass, the Gevernor's veto to the contrary notwithstanding.

Mr. Breaux moved that further consideration of the message be postponed ten minutes, and demanded the yeas and nays.

The roll being called, resulted as follows:

Yeas—Messrs. Breaux, Ducros, Eustis, Ogden, Richardson, Stubbs, White and Zacharie—8.

Nays—Messrs. Boatner, Ellis, George, Garland, Goode, Grover, Kelly, Robertson, Sandiford, Steven and Texada—11.

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

And the motion to postpone was lost.

The vote recurring upon the motion of Mr. Robertson, the roll being called resulted as follows:

Yeas—Messrs. Breaux, Ellis, Goode, Robertson, Steven, Stubbs and Texada—6.

Nays—Messrs. Boatner, Ducros, Eustis, Garland, George, Grover, Kelly, Ogden, Perkins, Richardson, Sandiford, Wheeler, White and Zacharie—14.

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

And the veto was sustained.

Mr. Zacharie moved to suspend the rules to take up House bill No. 70, entitled "An act to repeal an act entitled 'An act to define and extend the limits of the Second Judicial District; to fix the terms of court therein, and to define and extend the jurisdiction for the Sixth and Seventh Municipal Districts of the parish of Orleans; to provide for a clerk of said court' and his compensation and term of office, and to provide for the drawing of jurors for said court, and to re-annex the Sixth and Seventh Municipal Districts of the parish of Orleans to the First Judicial District.'"

On which motion Mr. Breaux demanded the yeas and nays.

The roll being called, resulted as follows:

Yeas—Messrs. Boatner, Ducros, Ellis, Eustis, Goode, Kelly, Ogden, Perkins, Robertson, Sandiford, Steven, Stubbs, Texada, Wheeler, White and Zacharie—16.

Nays—Messrs. Breaux, Garland, George, Grover, Mitchell and Richardson—6.

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

And the rules were suspended.

Mr. Zacharie moved that the bill be ordered read a third time.

Mr. Breaux moved as a substitute that the bill be postponed and made the special order of the day for Wednesday, March 21, 1877, at 1 o'clock.

On motion of Mr. Robertson the Senate went into executive session.

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

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

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

On motion of Mr. Zacharie, House bill No. 70 was recommitted to the Committee on Judiciary.

On motion of Mr. Kelly the Senate adjourned until Tuesday, March 20, 1877, at 12 o'clock m.

JOHN CLEGG,
Secretary of the Senate.

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—OF THE—

STATE OF LOUISIANA.

EXTRA SESSION OF 1877.

HOUSE OF REPRESENTATIVES.

Fifteenth Day's Proceedings.

HOUSE OF REPRESENTATIVES,
New Orleans, Monday, March 19, 1877.

The House was called to order at 11:35 a. m. Present:

Hon. L. Bush, Speaker, and Messrs. Aldige Aycock, Bridger, Breard, Bowden, Barbin, Billieu, Barron, Buck, Berry, Bell, Briggs, Cockerham, Carloss, Cressy, Delavigne, Duke, Dupree, Estopinal, Ferguson, Fitzpatrick, Foerster, Gaskins, Gillespie, Huntington, Hammond, Jonas, Kennedy, Kelly of Winn, Kelly of Orleans, Kidd, Kernochan, Lyons, Leeds, Lamare, Lea, Leonhard, Martin, Means, McGehee, Nunez, Porter, Peralta, Pitts, Richardson, Ryland, Robertson, Rolle, Ridgley, Sartain, Singleton, Self, Stagg, Steele, Sellers, Smart, Taylor, Toler, Voorhies, Washburn, Wood, Young of Claiborne, Young of East Baton Rouge.

Sixty-three members and a quorum.

The journal of March 17 was approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
New Orleans, March 19, 1877.

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

Gentlemen—I am directed by the Senate to inform your body that the Senate has concurred in House bill No. 75, "An act to limit the appropriations and expenditures of parishes and municipal corporations; to prohibit the issue of warrants; to permit police juries to make certain contracts and prescribing certain penalties," with an amendment to section four as annexed to the bill.

Also, that the Senate has concurred in House bill No. 197, "An act to enable the city of New Orleans to promote the public health, and to afford greater security against fire, by the establishment of a corporation to be called the "New Orleans Water Works Company;" to authorize the said company to issue bonds for the purpose of extending and improving the said works, and to furnish the inhabitants of New Orleans an adequate supply of pure and wholesome water; to permit the holders of water works bonds to convert them into stock, and to provide for the liquidation of the bonded and floating debt of the city of New Orleans," with amendments as annexed to the bill.

Respectfully,

JOHN CLEGG,
Secretary of the Senate.

JOINT SESSION.

A joint session of the General Assembly was held for the purpose of 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, Hon. L. A. Wiltz, Lieutenant Governor and President of the Senate, presiding.

The roll of the Senate was called, when the following Senators answered to their names:

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

Twenty Senators.

The roll of the House being called, the following members answered to their names:

Hon. L. Bush, Speaker, and Messrs. Aldige, Aycock, Bridger, Breard, Bowden, Barbin, Billieu, Buck, Berry, Bell, Cockerham, Carloss, Cressy, Delavigne, Duke, Dupree, Estopinal, Fitzpatrick, Ferguson, Foerster, Gaskins, Gillespie, Huntington, Hammond, Jonas, Kennedy, Kelly of Winn, Kelly of Orleans, Kidd, Lyons, Leeds, Lamare, Lea, Leonhard of Orleans, Means, McGehee, Nunez, Porter, Peralta, Pitts, Richardson, Ryland, Robertson, Rolle, Ridgley, Sartain, Singleton, Self, Stagg, Steele, Sellers, Smart, Taylor, Toler, Voorhies, Washburn, Wood, Young of Claiborne, Young of East Baton Rouge.

Sixty-one members and a quorum.

The presiding officer announced that the General Assembly of the State of Louisiana had met in this joint session, as required by law, for the purpose of balloting for a Senator to represent the State of Louisiana in the Senate of the United States for the term beginning March 4, 1877.

Nominations were read as follows:

Messrs. Jonas, Gibson, Spencer, Wyly and Zacharie.

Mr. Ridgley withdrew the name of Hon. W. B. Spencer.

Mr. Billieu, of the House, nominated Hon. E. E. Kidd of Jackson.

There being no further nominations, the roll of the Senate was called, with the following result:

Senators Garland, Grover, Ogden and Perkins voted for the Hon. B. F. Jonas—4 votes.

Senators George, Sandiford and White voted for the Hon. R. L. Gibson—3 votes.

Senator Stubbs voted for the Hon. W. G. Wyly—1 vote.

Senators Boatner, Ducros, Ellis, Eustis, Goode, Kelly, Mitchell, Richardson, Robertson, Steven, Texada, Wheeler and Zacharie voted for then Hon. E. E. Kidd—13 votes.

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

Messrs. Bridger, Bowden, Berry, Bell, Cockerham, Robertson, Ferguson, Huntington, Hammond, Lyons, Lamare, Leonhard, Porter, Ryland, Barbin, Singleton, Stagg, Toler, Voorhies, Washburn, Wood, and Young of Claiborne—22.

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

Speaker Bush, and Messrs. Aldidge, Buck, Cressy, Delavigne, Fitzpatrick, Kelly of Orleans, Kidd, Leeds, Means, McGehee, Pitts, Smart, Taylor and Young of East Baton Rouge—15.

The following members voted for the Hon. E. E. Kidd:

Messrs, Aycock, Breard, Sartain, Barron, Carloss, Duke, Dupree, Estinopal Foerster, Gaskins, Gillespie, Jonas, Kennedy, Kelly of Winn, Lea, Nunez, Peralta, Richardson, Rolle, Self, Billieu, Steele and Ridgley—23.

Mr. Sellers voted for the Hon. W. G. Wyly.

Total vote 82, necessary to a choice 42.

No one candidate having received a majority of all the votes cast, the presiding officer declared that there had been no election.

The name of Mr. Kidd was withdrawn at his request.

On motion of Mr. Sartain, of the House, the joint assembly adjourned, and the Senate withdrew to its chamber.

BUSINESS OF THE HOUSE RESUMED.

After the joint session the roll of the House was called as follows:

Hon. L. Bush, Speaker, and Messrs. Aldige, Aycock, Breard, Bowden, Barron, Buck, Berry, Bell, Briggs, Barbin, Billieu, Cockerham, Carloss, Cressy, Delavigne, Duke, Dupree, Estopinal, Fitzpatrick, Foerster, Ferguson, Gaskins, Gillespie, Huntington, Hammond, Jonas, Kennedy, Kelly of Winn, Kelly of Orleans, Kidd, Lyons, Leeds, Lamare, Lea, Leonhard, of Orleans, Means, McGehee, Nunez, Porter, Peralta, Pitts, Richardson, Ryland, Rolle, Ridgley, Robertson, Singleton, Self, Stagg, Steele, Sellers, Smart, Sartain, Taylor, Toler, Voorhies, Washburn, Wood, and Young of Claiborne—22.

Sixty-one members and a quorum.

Leave of absence for one day was granted to Mr. Sartain.

On motion of Mr. McGehee, and under a suspension of the rules, Senate bill No. 124, "An act authorizing the appointment of an Assistant State Treasurer, defining his duties, etc., was taken up and passed to its second reading."

Under a further suspension of the rules the bill was read a third time and passed.

The title was adopted.

Mr. Aldige moved a reconsideration of the vote on the final passage of the bill, and on his own motion, the motion to reconsider was laid upon the table.

Mr. Dupree offered the following resolution:

Whereas, A charter, certified on the 14th day of January, 1859, by M. A. Foute, then District Attorney for the city of New Orleans, State of Louisiana, which charter is styled the charter of the Louisiana Board of Trustees of the American Printing House for the Blind; and whereas, the provisions of the said act of charter have not been fulfilled, or the object of the corporation attempted or accomplished; and whereas, said corporation consists of certain citizens of New Orleans, who hold funds to the amount of thirty thousand dollars, more or less; and whereas, the money thus held was contributed in part by the State and in part by individuals; and wheaeas, the charter requires that the printing house contemplated in said charter shall be established within nine years from the date of said charter; and whereas, such printing house was not established as required; and where s, the donations by the State and individuals were designed to promote the educational interests of the blind of Louisian; therefore be it

Resolved, That the Honorable the Speaker of the House of Representatives of the State of Louisiana be and is hereby authorized to appoint a special committee of five, whose duty it shall be immediately to investigate the acts of the corporation, named in the foregoing preamble, and all other matters connected with the object for which said corporation was created, and that said committee shall have the power to send for persons and papers, and to do any all other things necessary to a full investigation, and said committee shall report to this House as early as possible.

The resolution lies over under the rules.

COMMITTEE SERVICE.

Mr. Huntington, chairman, on behalf of the Committee on Claims, reported as follows:

NEW ORLEANS, March 19, 1877.

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

Your Committee on Claims beg leave to report that having duly considered the claim of Thos. H. Handy, Civil Sheriff of the parish of Orleans, for disbursements made by him for account of the State of Louisiana and in support of the Nicholls Government, they are of the opinion that the same should be allowed, and accordingly recommend that the bill for his relief herewith submitted be immediately passed.

Favorably on House bill No. 264, "appropriating $4000, or so much thereof as may be necessary, for expenses in furnishing rations for the posse occupying the Supreme, District and Municipal Cout buildings.

E. W. HUNTINGTON,
Chairman.

Mr. Voorhies, chairman, on behalf of the Committee on Railroads, reported on House bill No. 238, "An act to incorporate the Eastern Louisiana Railrod Company," favorably.

BILLS INTRODUCED.

The following named members asked and obtained leave to introduce the following bills, which, under a suspension of the rules, were passed to their second reading and referred as follows:

By Mr. Voorhies—

House bill 265, "Joint resolution relative to the compensation to be paid to the chairmen of certain committees of the House and Senate."

To the Committee on the Judiciary.

By Mr. Fitzpatrick—

House bill No. 267, "An act for the relief of C. F. Johnson."

To the Committee on Claims.

By Mr. Jonas—

House bill No. 268, "An act to promote legal education by requiring better qualifications of candidates for admission to the bar."

To the Committee on the Judiciary.

By Mr. Jonas—

House bill No. 269, "An act to repeal articles 1221, 1222 and 1223, of the Revised Civil Code, and sections 3683 and 3684 of the Revised Statutes of the State of Louisiana."

To the Committee on the Judiciary.

By Mr. Aycock—

House bill No. 270, "An act relative to the inspector of weights and measures for the Sixth and Seventh Districts."

To the Committee on the Judiciary.

Mr. Toler presented a memorandum of a claim for salary of two clerks employed by the Secretary of State prior to the passage of the joint resolution authorizing him to obtain clerical aid from the Committee on Enrollment, etc.

Referred to the Committee on Claims.

NOTICE OF BILLS.

Mr. Ferguson gave notice that at some future day he would introduce "An act to amend and re-enact Art. 498 of the Code of Practice."

Mr. Billieu gave similar notice of a bill to be entitled "An act to repeal section 2747 of the Revised Statutes."

SPECIAL ORDER OF THE DAY.

House bill No. 226, "An act to provide for a more adequate protection of the alluvial lands of the State against the dangers and damages to overflow; to abolish and reorganize the present board of State Engineers; to abridge the duties and compensation of the present commission of engineers and the commission of persons; to create certain engineer districts, and to provide for the appointment of a State Engineer and two district engineers for the management of all public works therein; to provide for the sub-division of these engineer districts into certain levee districts, and for the management of the same by local commissioners; to provide for a central board of control, which shall have supervision over all matters relating to contracts, both State and local, and general control over all the levee interests of the State, and to provide the means necessary to carry out effectually all of the objects herein instituted."

Being the special order of the day, was taken up pending the consideration of the second report of the Committee on Lands and Levees.

It was ordered that all sections of the bill should be reconsidered, and it was read section by section.

Section 1 was adopted.

Section 2 was amended in lines six and seven by striking out the words "basis, range, line in the present parish of," and the word "range" at the end of line seven, and the word "township" in line nine, and insert in lines six and seven the words "line dividing the parish of Calcasieu and."

The second paragraph of the second section was amended so as to read as follows:

These engineer districts shall likewise be subdivided into certain levee districts as follows, to wit: Engineer District No. 1 shall comprise three levee districts, to be known respectively as Baton Rouge Sub-District, New Orleans Sub-District and Pointe-a-la-Hache Sub District. The Baton Rouge Sub-District shall embrace the area contained in the following bounds, viz.: the parish of Jefferson, left bank; St. Charles, left bank; St. John, left bank; St. James, left bank: Ascension, left bank; Iberville, left bank; and the entire parish of East Baton Rouge. The New Orleans Sub-District shall embrace the area included in the parish of Orleans, left bank. And the Pointe-a-la-Hache Sub-District shall include the entire parish of St. Bernard and the parish of Plaquemines, left bank.

The third paragraph of the second section was amended so as to read as follows:

Engineer District No. 2 shall comprise two levee districts, to be known respectively as Algiers sub-District and Bayou Goula sub-District. The Algiers sub-District shall embrace the area contained in the following bounds, viz: The parish of Ascension, right bank, south of Bayou Lafourche; the parish of St. James, right bank; St. John, right bank; the parish of St. Charles, right bank; Lafourche, east of the bayou; Jefferson, right bank; Orleans, right bank; and Plaquemines, right bank.

The fourth paragraph of section 2 was amended so as to read as follows:

The Bayou Goula sub-District shall embrace the area contained in the following bounds, viz: The parish of Avoyelles, south of Red River; Ascension, right bank, north of Bayou Lafourche; Iberville, right bank; the entire parishes of Pointe Coupee, St. Landry, St. Martin, Assumption, Iberia, St. Mary, Terrebonne and Lafourche, west of the bayou.

The section was adopted as amended.

Sections 3 and 4 were adopted.

Section 5, in the first paragraph was amended in pursuance of the recommendation of the Committee on Lands and Levees, so as to read as follows:

Be it further enacted, etc., That the State Engineer, the two District Engineers, and one prominent citizen to be appointed by the Governor from each sub-levee district as herein described in section 2 of this act, or as hereafter they may be changed or modified, shall constitute together a Central Board of Control, which shall have special powers of revising and regulating all matters appertaining to the general levee interests of the State.

The fourth paragraph was amended so as to read as follows:

At this first meeting four-fifths of all the members must be present to perfect an organization and the State Engineer shall then preside, and thereafter shall perform the duties of and be officially known as President of the Board of Control. A majority of the board shall constitute a quorum, and as such shall have power and authority to transact business.

The section was adopted as amended.

Section 6 was amended by striking out in line 6 the word "paper" after the word "parish" and inserting after the word "practicable" the words "in any paper published;" also in the last line after the word "tax" by inserting the words "not to exceed one mill."

The section was adopted as amended.

Section 7 was amended in the last sentence thereof so as to read as follows;

And if the owner of such property shall refuse to remove said obstructions, or decline to grant the right of way or the use of materials thereon, the engineer shall apply to the parish or district judge having jurisdiction, either in court or chambers, and the said judge shall then issue his mandamus compelling the owner to comply with said demand, provided that for valuable timber and materials taken compensation shall be made.

The section was adopted as amended.

Section 8 was amended in the first sentence thereof so as to read as follows:

That the State Engineer shall receive compensation at the rate of four thousand dollars per annum, and shall be allowed a draftsman and a secretary, whose compensation shall be fixed by the Board of Control, not to exceed three thousand dollars per annum for both.

The section was adopted as amended.

Section 9 was so amended as to read in the first paragraph thereof as follows:

Be it further enacted, etc., That no member of the Board of Control other than the engineers shall be allowed any compensation for his services other than his traveling expenses; but shall receive such mileage and per diem for his services while in actual discharge of his duties as may be determined by the Board of Control, not to exceed three hundred dollars per annum for each, and payable out of the special tax levy of the sub-district, on the certificate of the President of the board.

The section was adopted as amended.

Sections 10 and 11 were adopted.

Section 12 was amended in the first sentence thereof so as to read as follows:

That in the New Orleans sub-district, the powers conferred on the Council of Levee Commissioners shall be exercised by the Mayor and City Administrators, without compensation therefor.

The section was adopted as amended.

The section recommended by the Committee on Lands and Levees was read, as follows:

SEC. 13. *Be it further enacted, etc.*, That the Auditor be and is hereby authorized to levy an annual assessment of two mills on the dollar of all the taxable property of the State for levee purposes, to be collected by the same officers and in the same manner and at the same time and rate fixed for the collection of the general fund tax of the State; provided the said assessment of two mills shall not be made until the contract between the State of Louisiana and the Louisiana Levee Company, entered into and ratified by acts No. 4 and No. 27, of the session of 1871, and acts amendatory thereto, shall have been annulled and the order for the levy of a tax of three mills thereunder shall have been cancelled. The amount raised by the said tax shall be called the "General Levee Fund," and shall be paid out on the certificate of the Chief Engineer, as provided in section 8 of this act.

The section was amended by striking out the words "two mills," and inserting in lieu thereof "one and one-half mills."

Mr. Gillespie offered the following amendment:

To add at the end of the section the words "provided that no levee tax shall be assessed or collected in any parish in which levees are not necessary to protect the lands from overflow."

The amendment was withdrawn, and the section was adopted as amended.

Mr. Hill offered the following amendment as an additional section:

SEC. 14. *Be it further enacted, etc.*, That the Board of Control be and is hereby authorized and required to investigate the claims arising under contracts heretofore made for construction of levees in the State of Louisiana, and to provide for their payment out of the General Levee tax for such year as the levees were ordered constructed.

As a substitute to Mr. Hill's motion to amend, Mr. Voorhies moved that section 13 be reconsidered and be referred to the Committee on the Judiciary, together with the proposed additional section.

The motion prevailing, the further consideration of the bill was made the special order of the day for Tuesday, March 20, at half-past 1 o'clock.

UNFINISHED BUSINESS.

House bill No. 199, "An act to repeal an act entitled an act to increase the revenues of the State, to authorize the incorporation and establishment of the Louisiana State Lottery Company," etc.

Being the unfinished business of Saturday, March 17, was taken up on its third reading pending the motion of Mr. Young, of Claiborne, to postpone the further consideration of the bill till Wednesday, March 21, on which motion the yeas and nays were called for, as follows:

Yeas—Speaker Bush and Messrs. Aldige, Bridger, Bowden, Buck, Barbin, Cockerham, Carloss, Cressy, Delavigne Duke, Gaskins, Gillespie, Huntington, Kennedy, Lyons, Nunez, Peralta, Pitts, Ricardson, Ridgley, Singleton, Self, Steele, Sellers, Tremoulet, Toler, Wood, Wilde, Young of Claiborne—30.

Nays—Messrs. Aycock, Breard, Barron, Bell, Berry, Billieu, Dupree, Estopinal, Ferguson, Fitzpatrick, Foerster, Hammond, Hill of Orleans, Jonas, Kelly of Orleans, Kidd, Leeds, Lamare, Lea, Leonhard of Orleans, Means, McGehee, Ryland, Rolle, Robertson, Stagg, Smart, Taylor, Voorhies, Washburn—30.

No quorum voting, on motion of Mr. Kidd the House adjourned.

PETER J. TREZEVANT,
Chief Clerk.

OFFICIAL.

LAWS OF THE STATE OF LOUISIANA.

PUBLISHED BY AUTHORITY.

EXTRA SESSION OF 1877.

No. 5.] AN ACT

Authorizing the appointment of an Assistant State Treasurer; defining his duties; fixing his salary, and the manner of paying the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That it shall be the duty of the Governor to appoint by and with the advice and consent of the Senate, an Assistant State Treasurer, who shall reside and hold his office at the seat of government. That the Assistant Treasurer shall hold his office during the term of the State Treasurer.

SEC. 2. *Be it further enacted, etc.*, That it shall be the duty of the Assistant Treasurer before entering upon the discharge of the duties of his office to take and subscribe the oath required by the constitution, and to execute his bond in the sum of twenty-five thousand dollars, with two or more solvent sureties, payable to and accepted by the Governor.

SEC. 3. *Be it further enacted, etc.*, That it shall be the duty of the Assistant State Treasurer to act in lieu of the Treasurer of the State in the event of the death, resignation, absence, inability, or refusal to act of the State Treasurer, and that while so acting it shall be his duty to discharge and perform all the duties incumbent on the State Treasurer.

SEC. 4. *Be it further enacted, etc.*, That the Assistant State Treasurer, while acting as Treasurer, shall receive a salary of five thousand dollars per annum, payable quarterly on his own warrant. The same to be paid from the appropriation for the salary of the State Treasurer.

SEC. 5. *Be it further enacted, etc.*, That this act take effect from and after its passage.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved March 20, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
OSCAR ARROYO,
Assistant Secretary of State.

No. 6.] AN ACT

To prohibit tax collectors, sheriffs and parish recorders from holding any office of profit under the police juries or the Board of School Directors in the different parishes of the State, and to prohibit compensation in such cases, and to provide for the punishment of violations of this act.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That it shall be unlawful for any tax collector, sheriff or parish recorder to hold any office of profit under the police juries or Board of School Directors in the State, and such police juries and school boards are hereby prohibited from allowing any compensation to such officers in such cases, and that any member of a police jury or school board who shall violate the provisions of this act shall *ipso facto* be deprived of his office, and be, in addition thereto, subject to a fine of not less than one hundred nor more than five hundred dollars for each offense, such fines to be enforced by indictments or information.

SEC. 2. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved March 20, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
OSCAR ARROYO,
Assistant Secretary of State.

ANNUAL STATEMENT

—OF THE—

NEW ORLEANS INSURANCE CO.,

Up to December 31, 1876.

ESTABLISHED IN 1806.

Fire premiums	$328,379 12
Marine premiums	68,924 91
River premiums	36,230 56
Total amount of premiums	$429,534 59
Less unearned and return premiums	95,752 94
Net earned premiums	$333,781,65
Add interest and discount	24,647 37
	$358,429 02
Deduct—	
Fire losses $99,452 74	
Marine losses 62,162 90	
River losses 24,746 80	
Net losses $186,362 44	
Reinsurances $18,837 08	
Rebate 46,452 18	
Board of Underwriters, general expenses, State and city taxes 52,520 39	
117,909 65	
	$304,272 09
Reserve for unsettled claims	25,000 00
	$329,272 09
Net profits for 1876