

Twentieth Day's Proceedings.

SENATE CHAMBER. New Orleans, Saturday, March 24, 1877. The Senate met pursuant to adjournment.

On a call of the roll the following Senators answered to their names: Messrs. Breaux, Ellis, Eustis, Garland, George, Goode, Kelly, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Stovon, Texas, Wheeler, White and Zacharie.

On motion of Mr. Mitchell, the reading of the Journal in detail was dispensed with.

Mr. Kelly submitted the petition of the St. Elizabeth Orphan Asylum, praying for aid.

On motion of Mr. Kelly the reading of the paper was dispensed with and referred to the Committee on Finance.

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approved and signed the following acts originated in your honorable body, entitled respectively: "An act to incorporate the Louisiana State Bank in the parish of Madison"; "An act to incorporate the Society of the Ancient Order of Druids of the State of Louisiana"; and "An act to authorize the Governor to appoint an Assistant Attorney General, defining his duties and fixing his compensation."

Respectfully,  
(Signed) DUNCAN S. GAGE, JR. Private Secretary.

Mr. Goode moved the adoption of the first section of the resolution, on which motion Mr. Goode demanded the yeas and nays.

The roll being called resulted as follows: Yeas—Messrs. Breaux, Ellis, Eustis, Goode, Grover, Kelly, Mitchell, Robertson, Sandiford, Stovon, Texas and Wheeler—12.

Yeas—Messrs. Boutner, Ducros, George, Garland, Ogden, Perkins, Richardson, Stubbs and White—9.

Absent—Messrs. Allain, Bryant, Burch, Caze, Dumont, Gls. Harper, Landry, Stamps, Sutton, Twitchell, Wakefield, Young and Zacharie—14.

And the first section was adopted.

Mr. Goode moved the adoption of the second section of the resolution, on which motion Mr. Goode demanded the yeas and nays.

The roll being called, resulted as follows: Yeas—Messrs. Boutner, Breaux, Ellis, Eustis, Goode, Grover, Kelly, Mitchell, Sandiford, Stovon, Texas and Wheeler—11.

Nays—Messrs. Ducros, Garland, George, Ogden, Perkins, Richardson, Robertson, Sandiford, Stovon, Texas, Wheeler and White—10.

Absent—Messrs. Allain, Bryant, Burch, Caze, Dumont, Gls. Harper, Landry, Stamps, Sutton, Twitchell, Wakefield, Young and Zacharie—14.

And the second section was adopted.

ACTION ON REPORTS Lying OVER. The following report of the Committee on Finance on Senate bill No. 128, viz: MERKLE CHAMBER, State of Louisiana, New Orleans, March 23, 1877.

To the Honorable President and Members of the Senate:

Gentlemen—Your committee, to whom was referred Senate bill No. 128, beg leave to report favorably and recommend its passage.

Very respectfully,  
WILL STEVEN, Chairman.

Was, on motion of Mr. Grover, adopted.

On motion of Mr. Grover the rules were suspended to consider the bill at this time.

On motion of Mr. Grover Senate bill No. 128, entitled "An act to facilitate the navigation of the bonded and floating debt of the city of New Orleans, by authorizing said city to sue in any court of competent jurisdiction; that said claims, whether ordinary or merged into judgments, shall not be subject to seizure," etc.

Was considered en gros and ordered read a third time.

The following report of the Committee on Judiciary on House bill No. 360, viz: ROOMS SENATE COMMITTEE ON JUDICIARY, New Orleans, March 23, 1877.

To the Honorable the President and Members of the Senate:

Gentlemen—Your committee on Judiciary having had under consideration House bill No. 360, report the same favorably, with the following amendment:

Section 1. After "Coroner" add "outside the parish of Orleans," etc.

Respectfully,  
F. S. GOODE, Chairman.

Was, on motion of Mr. Goode, adopted.

On motion of Mr. Goode House bill No. 360, entitled: House bill No. 360, substitute for Senate bill No. 97, "An act to amend and re-enact section six hundred and sixty-eight of the Revised Statutes of Louisiana."

Was ordered read a third time.

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

HOUSE BILLS ON FIRST READING. House bill No. 199, entitled "An act to increase the revenues of the State and to authorize the incorporation and establishment of the Louisiana State Lottery Company," and to repeal certain acts now in force, said act being No. 25 of the acts of the General Assembly of the State of Louisiana for the year 1868, which became a law on August 11, 1868."

Was read a third time.

On motion of Mr. Robertson the bill was indefinitely postponed.

House bill No. 275, entitled "An act to amend an act entitled 'An act making the warrants issued by the Sheriff of the parish of Orleans, valid and enforceable,' etc."

Was read a first time.

On motion of Mr. White the constitutional rules were suspended, the bill read a second time and referred to the Committee on Finance.

House bill No. 277, entitled "An act relative to vagrancy and prescribing the penalties therefor."

Was read a first time.

On motion of Mr. White the constitutional rules were suspended, the bill read a second time and referred to the Committee on Finance.

HOUSE BILL ON SECOND READING. The following concurrent resolution was offered by Mr. Aldige:

Resolved, That the Clerk of the House and the Secretary of the Senate be requested to prepare a calendar of the bills now on their calendars, and that a committee of three members of the Senate and five members of the House of Representatives, to be appointed by the President of the Senate and the Speaker of the House respectively, be and are hereby authorized to select from said calendar such bills as may by them be considered of greater importance to the State and determine the order in which they should be taken up, said bills so selected to have preference over all other bills now pending.

Was on motion of Mr. Ellis adopted.

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. Boutner, Ducros, Ellis, Eustis, Garland, George, Goode, Kelly, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Stovon, Texas, Wheeler and White—19.

Absent—Messrs. Allain, Bryant, Burch, Caze, Dumont, Gls. Harper, Landry, Stamps, Sutton, Twitchell, Wakefield, Young and Zacharie—15.

Mr. Goode in the chair.

On motion of Mr. Perkins the rules were suspended to take up House bill No. 123, entitled "An act to reorganize and render more efficient the Board of Health of the State of Louisiana; to define its powers and prescribe its duties, and those of quarantine and other officers under its control; to provide for its expenses, and for the recording of births, deaths and marriages in the parish of Orleans; and to provide penalties for the enforcement of this act, and for violation of the same, and for the ordinances and orders made in pursuance thereof."

On motion of Mr. Ogden the bill was considered section by section.

Mr. Robertson offered the following amendment to the first section and moved its adoption:

Strike out all after the word "members" in line 12 and including line 24 and insert— "Section 1. In the first section of the act to be appointed by the Governor, and five of whom shall be elected by the Council of the city of New Orleans. They shall hold their office for four years, unless sooner removed for cause. The members first appointed shall be so designated that the term of two of those appointed by the Governor and two of those elected by the Council of New Orleans shall expire in two

years from the fifteenth day of March, 1877, and the term of the two others appointed by the Governor and the three others elected by the Council shall expire in four years from said date. At least one of the members of said board appointed by the Governor and two of the members elected by said Council, shall be regularly licensed physicians resident in New Orleans."

Mr. Kelly offered the following as a substitute for the amendment offered by Mr. Robertson:

Section 1. Line 7 strike out all after the word "members," and insert in lieu thereof "three of whom shall be appointed by the Governor, and by and with the advice and consent of the Senate, and six of whom shall be elected by the City Council or Administrators of the city of New Orleans. The members thus chosen shall be so designated that the term of one of those appointed by the Governor, and two of those elected by the Council shall expire in two years from the first day of April, 1877, and the term of one of those appointed by the Governor and two others of those elected by the Council shall expire in four years from the first day of April, 1877, and the term of one of those appointed by the Governor and two other of those elected by the Council shall expire in six years from the first day of April, 1877, unless sooner removed for cause, all vacancies in said board to be filled as above designated; at least one of the members appointed by the Governor and two of those elected by the Council shall be regularly licensed physicians, residents in the city of New Orleans."

The following message from the House of Representatives was received:

HOUSE OF REPRESENTATIVES, New Orleans, March 24, 1877. To the Honorable the Senate of the State of Louisiana:

Gentlemen—I am directed to inform your honorable body that the House has had under consideration the Senate's amendments to House bill No. 194, "An act prescribing 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 for the collection of State and parish taxes," etc.

And that the House disagrees thereto, and asks a committee of conference on the same, and that the Speaker has appointed said committee, on the part of the House, Messrs. Leach, McGehee, Lyons, Korooshian and Hill of Orleans.

Also, that the House has had under consideration House bill No. 229, "An act to require and incorporate towns, which are exempted by law from the payment of parish taxes, to defray the costs and expenses of all criminal proceedings when the crimes have been committed within their limits, and to authorize the levy and collection of a tax to defray said costs and expenses."

And that the House has agreed to the appointment of a committee of conference on the same, and that the Speaker has appointed said committee, on the part of the House, Messrs. Jones, Aldige, Spiller, Hammond and Payton.

Also, that the House has finally passed the following bill, and asks the concurrence of the Senate:

House bill No. 179, "An act to confirm the charter of the Dorchest and Led River Plank Road Company."

House bill No. 171, "An act to abolish the office of public administrator throughout the State, except in the parish of Orleans," etc.

PETER J. TREZEVANT, Chief Clerk.

Mr. Kelly demanded the yeas and nays on the adoption of his substitute.

The roll being called, resulted as follows: Yeas—Messrs. Breaux, Ducros, Grover, Kelly, Mitchell, Stovon, and Wheeler—7.

Nays—Messrs. Boutner, Ellis, Eustis, Garland, George, Goode, Ogden, Perkins, Richardson, Robertson, Sandiford, Stovon, Texas, Wheeler—13.

Absent—Messrs. Allain, Bryant, Burch, Caze, Dumont, Gls. Harper, Landry, Stamps, Sutton, Twitchell, Wakefield, Young and Zacharie—14.

And the substitute was lost.

Mr. White offered the following amendment to the amendment of Mr. Robertson, and demanded the yeas and nays on its adoption:

Add to the amendment the words: "Appointed by the Mayor and with the advice and consent of the Board of Administrators."

The roll being called resulted as follows: Yeas—Messrs. Breaux, Ducros, Ellis, Garland, George, Perkins and White—7.

Nays—Messrs. Boutner, Eustis, Goode, Kelly, Mitchell, Ogden, Richardson, Robertson, Sandiford, Stovon, Texas, Wheeler—13.

Absent—Messrs. Allain, Bryant, Burch, Caze, Dumont, Gls. Harper, Landry, Stamps, Sutton, Twitchell, Wakefield, Young and Zacharie—14.

And the amendment was lost.

Mr. Ogden offered the following amendment to the amendment of Mr. Robertson, and demanded the yeas and nays upon its adoption.

The roll being called resulted as follows: Yeas—Messrs. Breaux, Ducros, Eustis, Garland, Ogden, Richardson, Robertson, Stovon, Texas and White—10.

Nays—Messrs. Boutner, Ellis, Goode, Kelly, Mitchell, Stovon, and Wheeler—7.

Absent—Messrs. Allain, Bryant, Burch, Caze, Dumont, Gls. Harper, Landry, Stamps, Sutton, Twitchell, Wakefield, Young and Zacharie—14.

And the amendment was adopted.

On motion of Mr. Robertson the section as amended was adopted.

The second section was read and on motion of Mr. Perkins adopted.

The third section was read.

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

Section 3, after the word "the," line 17, strike out "city of New Orleans" and insert "said Board of Health."

Adopted.

On motion of Mr. Perkins the section as amended was adopted.

Section 4 was read.

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

At the end of section 4 add: "And should the fees, fines, forfeitures and sums of money which have been received by the said board under the provisions of this act, during the year, exceed the expenses of said board, the said excess shall be paid to the Administrator of Finance of the city of New Orleans."

Lieutenant Governor Wiltz in the chair.

Adopted.

On motion of Mr. Perkins the section as amended was adopted.

The fifth section was read, and on motion of Mr. Perkins, adopted.

The sixth section was read, and on motion of Mr. Kelly, adopted.

The seventh section was read.

Mr. Robertson offered the following amendment, and moved its adoption:

Section 7, in line 47, after the word "heretofore" insert "excepting the Mississippi Quarantine Station."

Adopted.

Mr. Eustis offered the following amendment, and moved its adoption:

Section 7, after word "seizure" in line 43, insert "in which case bond shall be given in an amount to be determined by the judge issuing the writ, and the release bond shall be for an amount not exceeding \$500."

Adopted.

On motion of Mr. Perkins further consideration of the section was postponed for the time being.

Section 8 was read.

Mr. White moved to strike out section 8, and demanded the yeas and nays.

The roll being called, resulted as follows: Yeas—Messrs. Breaux, Ducros, Eustis, Garland, Goode, Grover, Kelly, Ogden, Robertson, Stovon and Texas—11.

Nays—Messrs. Boutner, Ellis, George, Mitchell, Perkins, Richardson, Sandiford, Wheeler and White—10.

Absent—Messrs. Allain, Bryant, Burch, Caze, Dumont, Gls. Harper, Landry, Stamps, Sutton, Twitchell, Wakefield, Young and Zacharie—14.

And the section was struck out.

On motion of Mr. Robertson sections 9, 10, 11 and 12 were struck out.

Mr. White moved to reconsider the vote whereby section 12 was struck out; on which motion Mr. Ellis demanded the yeas and nays.

The roll being called resulted as follows: Yeas—Messrs. Boutner, Ellis, Eustis, George, Mitchell, Ogden, Perkins, Richardson, Sandiford, Stovon, Texas, Wheeler and White—13.

Nays—Messrs. Breaux, Ducros, Grover, Kelly, Mitchell, Stovon, and Wheeler—7.

Absent—Messrs. Allain, Bryant, Burch, Caze, Dumont, Gls. Harper, Landry, Stamps, Sutton, Twitchell, Wakefield, Young and Zacharie—14.

And the section was adopted.

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