OFFICIAL JOURNAL

—OF THE—

FIFTH GENERAL ASSEMBLY

—OF THE—

STATE OF LOUISIANA.

EXTRA SESSION OF 1877.

SENATE.

Forty-third Day's Proceedings.

SENATE CHAMBER,
New Orleans, Saturday, April 21, 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, Breaux, Bryant, Ducros, Ellis, Eustis, Garland, George, Goode, Kelly, Landry, Mitchell, Ogden, Perkins, Richardson, Sandiford, Stubbs, Wheeler, White and Zacharie—21.

Absent—Messrs. Allain, Burch, Cage, Demas, Dumont, Gla, Grover, Harper, Robertson, Sutton, Stamps, Texada, Twitchell, Wakefield and Young—15.

Mr. Cage, Senator elect from the Eighth Senatorial District, presented himself at the bar of the Senate and was sworn in.

Prayer by the Rev. Father Allen.

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

On motion of Mr. Eustis the jounral of the 20th instant was corrected so as to read as follows:

On motion of Mr. Eustis the title of House bill No. 274 was amended as follows:

Strike out the words "and with exclusive jurisdiction over cases in which the State of Louisiana or the city of New Orleans may be parties of record."

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
New Orleans, April 21, 1877.

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has passed and asks your concurrence in the following House bills:

House bill No. 355, "An act requiring hotel-keepers to provide rope in each room," etc.

House bill No. 358, "An act to provide for the removal of the obstructions to navigation in the mouth of Red River," etc.

And to inform your honorable body that the House of Representatives is now prepared to receive the Senate in join assembly to ballot for Senator.

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

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
State of Louisiana,
New Orleans, April 20, 1877.

To the Honorable the Senate of the State of Louisiana:

Gentlemen—I am directed by his Excellency the Governor to inform you that he has approved and signed the following acts originated in your honorable body.

No. 78, "An act to amend and re-enact section 23 of an act entitled 'An act to regulate public education in the State of Louisiana; to provide a revenue for the same; to impose certain penalties; to repeal sections of the Revised Statutes from section 1217, inclusive, to section 1277, inclusive, and to repeal act No. 6 of the acts of 1870, entitled "An act to regulate public education in the State of Louisiana and city of New Orleans, and to raise a revenue for that purpose," approved March 26, 1877; to authorize the State Board of Education to appoint a treasurer of school funds in certain cases; and to authorize the Board of School Directors for the city of New Orleans to change and designate the day of its monthly session.

No. 79, joint resolution requesting the Senators and Representatives of Louisiana in Congress to urge upon the Federal Government the adoption of means to remove the obstructions to the commerce of the States of Texas, Arkansas and Louisiana and the Indian Nation.

Respectfully,
D. L. CAGE, Jr.,
Private Secretary.

On motion of Mr. Kelly, the Senate proceeded to the hall of the House of Representatives to ballot for a United States Senator.

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. Allain, Boatner, Breaux, Bryant, Cage, Ducros, Ellis, Eustis, Garland, George, Gla, Goode, Grover, Kelly, Landry, Mitchell, Ogden, Perkins, Richardson, Sandiford, Steven, Stubbs, Texada, Wheeler and Zacharie—24.

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

Hon. Louis Bush, Speaker, and Messrs. Aldige, Aycock, Bridger, Breard, Billiu, Bowden, Barbin, Barrett, Brady, Brooks, Buck, Bell, Berry, Briggs, Carloss, Cressy, Drury, Durden, Delavigne, Drew, De Lacy, D'Avy, Duke, Dupree, Estopinal, Ferguson, Fobb, Fitzpatrick, Foerster, Gaude, Gaskins, Gillespie, Holt, Huntington, Hammond, Hill of Orleans, Robert Johnson, Jonas, Kennedy, Kelly of Winn, Kelly of Orleans, Kern, Kernochan, Kidd, Lyons, Leeds, Lea, Leonhard of Orleans, Martin, Means, McGehee, Newsom, Nunez, Porter, Peralta, Pitts, Richardson, Ryland, Routon, Randolph, Romero, Rolle, Robertson, Raby, Sartain, Shakspeare, Singleton, Self, Spiller, Stagg, Stewart, Steele sellers, Smart, Tolliver, Tremoulet, Toler, Voorhies, Washington, Washburn, Wood, Wilde, Williams, Young of Claiborne and Young of East Baton Rouge—86.

The President of the joint assembly then declared the object of this jo nt 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. A. Voorhies, of Orleans, and Hon. Geo. W. Dupre, of Orleans.

Senator Zacharie nominated the Hon. R. H. Wilde, of Orleans.

Representative Stewart nominated Hon. J. H. Oglesby, of Orleans.

Senator Bryant nominated Hon. W. L. McMillen, of Carroll.

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

Senator Allain and Representatives Brooks, Drury, Durden, Dayries, D'Avy, Fobb, Holt, Routon, Romero, Sartain, Stewart, Washington and Tolliver voted for Hon. J. H. Oglesby—14 votes.

Senators Breaux and Sandiford and Representatives Aldige, Billiu, Buck, Delavigne, Fitzpatrick, Hill of Orleans, Kelly of Orleans, Kern, Kernochan, Leeds, McGehee, Rolle, Steele, Sellers, Tremoulet, Williams, Young of Claiborne and Young of East Baton Rouge voted for the Hon. R. L. Gibson—20 votes.

Senators Ducros, Garland, Goode and Richardson and Representatives Bush, Brady, Cressy, Duke, Foerster, Gaskins, Gillespie, Jonas, Kelly, Kidd, Martin, Pitts, Richardson, Ryland, Robertson, Self, Spiller, Smart, Taylor, Toler, and Wood voted for Hon. A. Voorhies—25 votes.

Senators Gla, Kelly, Landry, Wheeler and White and Representative Estopinal voted for Hon. F. S. Goode—6 votes.

Senators Perkins and Representatives Aycock, Breard, Bowden, Barrow, Barbin, Berry, Briggs, Dupree, Ferguson, Huntington, Hammond, Robert Johnson, Lyons, Leonhard, Newsom, Nunez, Porter, Raby, Shakspeare, Singleton, Stagg, Voorhies, Washburn and Wilde voted for the Hon. B. F. Jonas—25 votes.

Senator Grover voted for the Hon. Charles J. Boatner—1 vote.

Representatives Drew, DeLacey, Lea and Barrett voted for Hon. John McEnery—4 votes.

Senators Boatner, Bryant, Cage, Ellis, George, Stubbs and Texada and Representatives Bridger, Bell, Kennedy, Lamare, Means, Peralta, Randolph and Gaude voted blank—14 votes.

Total vote cast 114: necessary to a choice 58.

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. Allain 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. Allain, Boatner, Bryant, Cage, Demas, Ducros, Ellis, Eustis, Garland, George, Goode, Gla, Grover, Kelly, Landry, Ogden, Perkins, Richardson, Robertson, Sandiford, Stubbs, Texada, Wheeler, White, Young and Zacharie—26.

Absent—Messrs. Breaux, Burch, Dumont, Harper, Mitchell, Stamps, Steven, Sutton, Twitchell and Wakefield—10.

Mr. Robertson obtained unanimous consent to introduce without previous notice Senate Joint Resolution No. 164, entitled "Joint Resolution providing for the payment of the mileage and per diem of persons returned as elected by the Returning Board, but not so elected and not entitled to seats; and authorizing the Governor to draw against the special fund appropriated by act No. 47 of regular session of 1877 vouchers for said mileage and per diem as well as for other legislative expenses."

Which was read the first time.

On motion of Mr. White the constitutional rule was suspended and the bill read a second time.

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

Strike out "extra" in the last line of section 2.

Adopted.

Mr. Goode in the chair.

On motion of Mr. Robertson the bill was considered engrossed and ordered read a third time.

On motion of Mr. Robertson the constitutional rule was suspended, and the bill read a third time.

Mr. Boatner demanded the yeas and nays on the final passage of the bill.

The roll being called, resulted as follows:

Yeas—Messrs. Allain, Breaux, Bryant, Cage, Demas, Garland, George, Gla, Goode, Grover, Kelly, Landry, Mitchell, Ogden, Robertson, Sandiford, Steven, Texada, Wheeler, White, Young and Zacharie—22.

Nays—Messrs. Boatner, Ducros, Ellis, Perkins, Richardson and Stubbs—6.

Absent—Messrs. Burch, Dumont, Eustis, Harper, Stamps, Sutton, Twitchell and Wakefield—8.

The bill was finally passed, title adopted, and ordered sent to the House for concurrence.

Mr. Robertson 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.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
New Orleans, April 20, 1877.

To the Honorable the Senate of the State of Louisiana:

I am directed to inform your honorable body that the House of Representatives has concurred in the Senate amendments to the following house bills, viz:

House bill No. 351, an act entitled "An act to authorize the police jury of the parish of Morehouse to levy a special tax of four and one half mills during the years 1877 and 1878," etc.

House bill No. 195, "An act to provide for the change of names by judicial proceedings, to point out the manner of proceeding, and to provide for the payment of the costs thereof."

House bill No. 274, "An act to vest the Third District Court of the parish of Orleans with jurisdiction in all civil cases," etc.

PETER J. TREZEVANT,
Chief Clerk.

Mr. Steven moved to reconsider the vote whereby House bill No. 203, entitled "An act to promote education by requiring better qualifications for candidates for admission to the bar," was indefinitely postponed.

Mr. Mitchell moved to lay the motion to reconsider upon the table.

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

The roll being called resulted as follows:

Yeas—Messrs. Allain, Bryant, Demas, Ellis, Garland, Gla, Kelly, Mitchell and Richardson—9.

Nays—Messrs. Cage, Ducros, George, Goode, Grover, Landry, Ogden, Perkins, Robertson, Sandiford, Steven, Stubbs, Texada, Wheeler, White, Young and Zacharie—17.

Absent—Messrs. Boatner, Breaux, Burch, Dumont, Eustis, Harper, Stamps, Sutton, Twitchell and Wakefield—10.

And the motion to table was lost.

The question recurring upon the motion to reconsider, that motion prevailed.

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

Add at the end of section 1 the words "provided any applicant to practice law who has studied law one year shall be entitled on his own demand to an examination, and if found qualified shall receive his license to practice law in all the courts of this State."

Mr. Stubbs offered the following substitute for the amendment of Mr. Texada and moved its adoption:

Strike out the word "three" in line 9 and insert the word "two."

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

The roll being called resulted as follows:

Yeas—Messrs. Boatner, Bryant, Cage, Ducros, Ellis, Gla, Goode, Grover, Kelly, Landry, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Steven, Stubbs, Texada and Young—20.

Nays—Messrs. Allain, Breaux, Demas, George, Garland, Wheeler, White and Zacharie—8.

Absent—Messrs. Burch, Dumont, Eustis, Harper, Stamps, Sutton, Twitchell and Wakefield—8.

And the substitute was adopted.

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

In section 2, after the word "Louisiana," insert the following words: "or of any law school of this State."

Adopted.

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

In section 2, add after the word "State" "competent to issue diploma."

Adopted.

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

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

Mr. Steven 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.

Mr. Stubbs obtained unanimous consent to take up House bill No. 358, entitled "An act to provide for the removal of the obstructions to navigation in the mouth of Red River, and appropriating the sum of $20,000 to pay for having the work done."

Which was read a first time.

On motion of Mr. Robertson, the constitutional rule was suspended and the bill read a second time.

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

At the end of section 1 insert "provided that no obstructions shall be placed in or near the mouth of the Atchafalaya river."

Mr. Ellis moved to lay the amendment on the table, and the motion to table prevailed.

Lieutenant Governor Wiltz in the chair.

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

On motion of Mr. Robertson the constitutional rules were suspended, the bill read a third time, and finally passed.

Title adopted, and notice of concurrence ordered sent to the House.

Mr. Robertson 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.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
New Orleans, April 21, 1877.

To the Honorable the Senate of the State of Louisiana:

Gentlemen—I am directed by the House of Representatives to inform your honorable body that the House has concurred in Senate bill No. 161, "An act to amend and re-enact section 29 of an act entitled 'An act to regulate public education in the State of Louisiana; to provide a revenue for the same; to impose certain penalties; to repeal sections of the Revised Statutes,'" etc.

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

REPORTS OF COMMITTEES.

Mr. Goode, chairman of the Committee on Judiciary, reported favorably on House bill No. 350, and recommended its passage.

Also, favorably on House bill No. 325, and recommended its passage.

On motion of Mr. Richardson the rules were suspended to consider the report at this time.

On motion of Mr. Richardson the report of the committee on House bill No. 325 was adopted.

On motion of Mr. Richardson, House bill No. 325, entitled "An act to prohibit the keepers of bar-rooms, drinking saloons, groggeries and coffee-houses from selling or giving intoxicating liquors to minors, and to prescribe penalties for a violation of the provisions of this act."

Was ordered read a third time.

On motion of Mr. Richardson the constitutional rule was suspended, the bill read a third time and finally passed.

Title adopted, and notice of concurrence ordered sent to the House.

Mr. Richardson 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.

On motion of Mr. Ogden the report of the committee on House bill No. 350 was adopted.

On motion of Mr. Ogden House bill No. 350, entitled "An act relative to juries in the Second Judicial District Court, parish of Orleans."

Was ordered read a third time.

On motion of Mr. Ogden, the constitutional rule was suspended, the bill read a third time, finally passed and notice of concurrence ordered sent to the House.

Mr. Mitchell, chairman of the Committee on Railroads, submitted the following report:

SENATE CHAMBER,
New Orleans, April 21, 1877.

To the Honorable President and Members of the Senate:

I am requested by the Committee on Railroads to report favorably on Senate bill No. 163, "An act to amend and re-enact section 4, of act No. 97, of the session of 1876, entitled 'An act to charter the North Louisiana Railroad Company.'"

Respectfully submitted,
H. C. MITCHELL,
Chairman Committee.

On motion of Mr. Mitchell the rules were suspended to consider the report and bill.

On motion of Mr. Mitchell the report was adopted.

On motion of Mr. Mitchell Senate bill No. 163, entitled "An act to amend and re-enact section 4 of act No. 97 of session of 1876, entitled 'An act to charter the North Louisiana Railroad Company,'" etc.

Was considered engrossed and ordered read a third time.

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

Mr. Mitchell 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.

And the motion to table prevailed.

Mr. Steven in the chair.

Mr. Kelly obtained unanimous consent to take up House bill No. 303, entitled "Substitute for House bills Nos. 185, 198 and 222, entitled 'An act for the relief of the taxpayers of the city of New Orleans, to absorb the floating debt, the unpaid interest coupons, school warrants, and all evidences of debt, and other claims against the city, and to authorize and to require the city of New Orleans to receive such indebtedness in payment of certain taxes of the city of New Orleans, due prior to the 1st of January, 1876,'" on its third reading.

Mr. Kelly moved the final passage of the bill.

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

The roll being called resulted as follows:

Yeas—Messrs. Boatner, Breaux, Bryant, Cage, Demas, Ellis, Eustis, George, Gla, Goode, Kelly, Mitchell, Perkins, Richardson, Sandiford, Stubbs, Texada and Wheeler—17.

Nays—Messrs. Allain, Ducros, Ellis, Garland, Ogden, Robertson, Steven, White and Zacharie—9.

Absent—Messrs. Burch, Dumont, Grover, Harper, Landry, Stamps, Sutton, Twitchell, Wakefield and Young—10.

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

Mr. Kelly 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.

Mr. Sutton, Senator elect from the Ninth District, appearing at the bar of the Senate, was sworn in.

Lieut. Gov. Wiltz in the chair.

HOUSE BILLS ON SECOND READING.

House bill No. 324, entitled "Joint Resolution referring to extra compensation of chairmen of Committees on Enrollment and Engrossment and Contingent Expenses of the House, and of auditing and supervising the acts of the Senate Enrollment Committee."

Was on motion of Mr. Robertson referred to the Committee on Finance.

Mr. Eustis demanded a call of the Senate.

The roll being called the following Senators answered to their names:

Messrs. Allain, Bryant, Cage, Demas, Ducros, Eustis, Garland, Gla, Grover, Goode, George, Kelly, Landry, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Steven, Stubbs, Sutton, Texada, Twitchell, Wheeler, White, Young and Zacharie—28.

Absent—Messrs. Boatner, Breaux, Burch, Dumont, Ellis, Harper, Stamps and Wakefield—8.

House bill No. 294, entitled "Joint Resolution relative to a topographic and hydrographic survey of Bayou Teche."

Was, on motion of Mr. White, ordered read a third time.

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

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. Allain, Boatner, Bryant, Burch, Cage, Demas, Ducros, Ellis, Garland, George, Gla, Goode, Grover, Kelly, Landry, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandiford, Stamps, Steven, Stubbs, Sutton, Texada, Twitchell, Wheeler, Young and Zacharie—30.

Absent—Messrs. Breaux, Dumont, Eustis, Harper, Wakefield and White—6.

Mr. Texada, chairman of Committee on Enrollment, submitted the following report:

ROOMS COMMITTEE ON ENROLLMENT AND ENGROSSMENT,
New Orleans, April 21, 1877.

To the Honorable President and Members of the Senate:

Gentlemen—Your Committee on Enrollment and Engrossment respectfully report as correctly enrolled Senate bills Nos. 151 and 159.

Also, "An act to repeal an act entitled "An act relative to the Louisiana Levee Company, a corporation organized under the general laws of the State,'" etc.

Respectfully, etc.,
LEWIS TEXADA, Chairmen.

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

Resolved, That the chairman of the Committee on Auditing and Supervising the Expenses of the Senate, be and hereby is authorized to issue a voucher to E. C. Payne for one hundred and twenty-five dollars for part payment of fees for collection of taxes by the Citizens' Committee, and the Lieutenant Governor and President of the Senate is hereby authorized to approve the same.

On motion of Mr. Robertson, the rules were suspended to consider the resolution.

On motion of Mr. Robertson, the resolution was adopted.

On motion of Mr. Sandiford, the Senate adjourned until Monday, April 23, 1877, at 12 o'clock, m.

JOHN CLEGG,
Secretary of the Senate.

DR. MULLEN,

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FIFTH GENERAL ASSEMBLY

—OF THE—

STATE OF LOUISIANA.

EXTRA SESSION OF 1877.

HOUSE OF REPRESENTATIVES.

Forty-third Day's Proceedings.

HOUSE OF REPRESENTATIVES,
New Orleans, Saturday, April 21, 1877.

The House was called to order at 11:50 o'clock a. m. Present:

Hon. L. Bush, Speaker, and Messrs. Aldige, Aycock, Bridger, Breard, Billiu, Bowden, Barron, Barbin, Barrett, Brady, Brooks, Bell, Carloss, Cressy, Drury, Darden, Delavigne, De Lacy, D'Avy, Duke, Dupree, Estopinal, Ferguson, Fobb, Fitzpatrick, Gaude, Gaskins, Gillespie, Holt, Huntington, Hammond, Hill of Orleans, Kennedy, Kelly of Winn, Kelly of Orleans, Kernochan, Kidd, Lyons, Leeds, Lamare, Lea, Leonhard of Orleans, McGehee, Newsom, Nunez, Porter, Peralta, Pitts, Richardson, Routon, Randolph, Romero, Rolle, Robertson, Sartain, Souer, Shakspeare, Singleton, Self, Spiller, Stagg, Stewart, Steele, Sellers, Smart, Taylor, Tolliver, Tremoulet, Toler, Voorhies, Washington, Washburn, Walker, Wood, Wilde, Williams, Young of Claiborne and Young of East Baton Rouge.

Seventy-eight members and a quorum.

Prayer was offered by the Rev. Father Hubert of the Catholic Church.

The journal of April 20th was approved.

On the motion of Mr. Bowden the concurrent resolution, introduced April 19, relative to final adjournment of the General Assembly, was postponed until 2 o'clock p. m.

Mr. Bowden, chairman, on behalf of the Committee on Parochial Affairs, returned to the House without action House bill No. 348, "An act to take a portion of the parish of West Carroll and annex the same to the parish of East Carroll," together with the petitions relating thereto.

Mr. Ryland, chairman, on behalf of the Committee on Agriculture, Immigration and Commerce, reported on Senate bill No. 122, "An act to create a committee to sit during the recess of the General Assembly and to consider the present license, inspection and port charges imposed by State laws; to take evidence thereon and to report at the next session of the General Assembly such changes as in their opinion may be necessary."

Favorably.

BILLS INTRODUCED AND PASSED.

The following entitled bills were introduced, and, under a suspension of the rules, underwent their several readings and were passed:

By Mr. Robertson—

House bill No. 360, "An act fixing the time of holding the District Court in the Third Judicial District of the State of Louisiana, composed of the parishes of Iberia, St. Mary and St. Martin."

The title of the bill was adopted.

Mr. Voorhies 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.

By Mr. Singleton—

House bill No. 361, "An act relative to the pay of all State officers."

The title was adopted.

Mr. Singleton 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.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
State of Louisiana,
New Orleans, April 20, 1877.

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

Gentlemen—I am directed to inform your honorable body that the Senate has finally passed the following Senate bills, and asks the concurrence of your honorable body in the same:

Senate bill No. 162, entitled "An act for the relief of J. P. Vigurie, Tax Collectort for the parish of Terrebonne."

Also, to inform you that the Senate has concurred in House bill No. 323, entitled "An act to repeal act No. 9, entitled an act to incorporate the town of St. Francisville in the parish of West Feliciana."

Also, House bill No. 258, entitled "An act to amend and re-enact article 1116 of the Code of Practice."

Also, House bill No. 339, entitled "An act to incorporate the Washington Steam Fire Engine Company No. 1 of the city of Baton Rouge, Louisiana."

Also, House bill No. 353, entitled "An act to amend and re-enact section 1 of act No. 41, approved March 5, 1873, entitled an act declaring it a crime to usurp a public office, and providing the punishment for such offense; providing that if any public officer shall adhere to or recognize any usurper, his office shall be forfeited."

Also, that the Senate has concurred in the House amendment to the Senate amendment to House bill No. 297 entitled "An act authorizing and empowering the police jury of the parish of East Baton Rouge to bond the indebtedness of said parish."

Respectfully,
JOHN CLEGG,
Secretary.

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. Allain, Boatner, Breaux, Bryant, Cage, Ducros, Ellis, Eustis, Garland, Goode, Gla, George, Grover, Kelly, Landry, Mitchell, Ogden, Perkins, Richardson, Sandiford, Stubbs, Texada, Wheeler, White and Zacharie.

Twenty-four Senators.

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

Hon. L. Bush, Speaker, and Messrs. Aldige, Aycock, Bridger, Breard, Billiu, Bowden, Barbin, Brady, Brooks, Buck, Berry, Bell, Briggs, Barrett, Carloss, Cressy, Drury, Durden, Delavigne, Drew, De Lacy, D'Avy, Duke, Dupree, Estopinal, Fobb, Ferguson, Fitzpatrick, Foerster, Gaskins, Gaude, Gillespie, Holt, Huntington, Hammond, Hill of Orleans, Robert Johnson, Jonas, Kennedy, Kelly of Winn, Kelly of Orleans, Kern, Kernochan, Kidd, Lyons, Leeds, Lea, Leonhard of Orleans, Martin, Means, McGehee, Newsom, Nunez, Porter, Pitts, Peralta, Richardson, Ryland, Routon, Randolph, Romero, Rolle, Robertson, Raby, Sartain, Shakspeare, Singleton, Self, Spiller, Stagg, Stewart, Steele Sellers, Smart, Tolliver, Tremoulet, Toler, Voorhies, Washington, Washburn, Wood, Wilde, Williams, Young of Claiborne and Young of East Baton Rouge.

Eighty-six members and a quorum.

The presiding officer announced that the General Assembly of the State of Louisiana had met in this joint assembly, 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.

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

Messrs. Jonas, Gibson, Wilde, Oglesby, McMillen, Voorhies and Dupre.

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

Senator Perkins voted for Hon. B. F. Jonas—1 vote.

Senators Breaux and Sandiford voted for Hon. R. L. Gibson—2 votes.

Senator Allain voted for Hon. J. H. Oglesby—1 vote.

Senator Zacharie voted for Hon. R. H. Wilde—1 vote.

Senators Ducros, Garland, Goode and Richardson voted for Hon. Albert Voorhies—4 votes.

Senators Mitchell, Ogden and Robertson voted for Hon. G. W. Dupree—3 votes.

Senators Boatner, Bryant, Cage, Ellis, George, Stubbs and Texada voted blank—6 votes.

Senators Gla, Kelly, Landry, Wheeler and White voted for Hon. F. S. Goode—5 votes.

Senator Grover voted for Hon. C. J. Boatner—1 vote.

The roll of the House was called.

Messrs. Bush, Brady, Cressy, Duke, Foerster, Gaskins, Gillespie, Jonas, Kelly, Kidd, Martin, Pitts, Richardson, Ryland, Robertson, Self, Spiller, Smart, Taylor, Toler and Wood voted for Hon. A. Voorhies—21 votes.

Mr. Carloss voted for Hon. G. W. Dupree—1 vote.

Messrs. Aycock, Breard, Bowden, Barron, Barbin, Berry, Briggs, Dupree, Ferguson, Huntington, Hammond, Robt. Johnson, Lyons, Leonhard, Newsom, Nunez, Porter, Raby, Shakspeare, Singleton, Stagg, Voorhies, Washburn and Wilde voted for Hon. B. F. Jonas—24 votes.

Messrs. Aldige, Billiu, Buck, Delavigne, Fitzpatick, Hill of Orleans, Kelly of Orleans, Kern, Kernochan, Leeds, McGehee, Rolle, Steele, Sellers, Tremoulet, Williams, Young of Claiborne and Young of East Baton Rouge voted for Hon. R. L. Gibson—18 votes.

Messrs. Brooks, D'Avy, Durden, Dayries Drury, Fobb, Holt, Routon, Romero, Sartain Stewart, Washington and Tolliver, voted for J. H. Oglesby—13 votes.

The following members voted blank: Messrs. Bridger, Bell, Kennedy, Lamare, Means, Peralta, Randolph and Gaude—8 votes.

Messrs. Drew, DeLacy, Lea and Barrett, voted for Hon. John McEnery—4 votes.

Mr. Estopinal voted for Hon. F. S. Goode—1 vote.

Total vote 114, necessary to a choice 58.

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

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

HOUSE BUSINESS RESUMED.

The call of the roll after joint session was dispensed with.

Hon. Louis Desmarais, of St. Landry; Hon. Elbert Gantt, of St. Landry; Hon. Richard Semmes, of St. James; Hon. V. Dickinson, of St. James; Hon. James Cole, of St. John the Baptist, and Hon. L. A. Snaer, of Iberia, presented themselves at the Speaker's stand, took the constitutional oath of office, and were seated as Representatives from their respective parishes.

Mr. Sartain, of Carroll, rising to a question of privilege, offered the following communication:

HOUSE OF REPRESENTATIVES,
State of Louisiana, April 21, 1877.

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

Gentlemen—In the interest of local self-government in the State of Louisiana, and for the good of her people and the establishment of the government elected by the people, and for the purpose of settling the revolution which has been existing in our State government for the last four years, I hereby withdraw from a seat in your honorable body in favor of Mr. Burton, and ask that he be seated, subject to contest, in accordance with resolution passed April 17 by the House of Representatives.

I am, yours, respectfully,
CAIN SARTAIN.

The withdrawal was accepted as under the resolution of April 17, 1877.

Mr. J. H. Ferguson, of the Fourteenth Representative District of the parish of Orleans, rising to a question of privilege, withdrew his claim to a seat in this House in accordance with the resolution of April 17th, reserving his right to contest the seat, as provided in said resolution, and in favor of Mr. Aristide Dejole.

Hon. Nicholas Burton, of Carroll, took the constitutitional oath of office, and was seated as Representative from that parish *vice* Sartain withdrawn, subject to contest, according to the resolution passed April 17, 1877.

Hon. Aristide Dejole was likewise sworn and seated as Representative from the Fourteenth Representative District of the parish of Orleans *vice* Ferguson withdrawn, subject to contest.

Hon. J. Seveignes, of Lafourche, was also sworn and seated, subject to contest, as Representative of that parish, *vice* Billiu, who had withdrawn under the resolution of April 17th.

By consent of the House, Mr. Blair, of the parish of Morehouse, appeared upon the floor of the House, and addressing the Chair, renounced all claims which he might have as having been returned by the Returning Board to a seat in this House as Representative from that parish.

Mr. Barrington, by consent of the House, appeared upon the floor, and addressing the Chair, renounced his claims to a seat in this House as Representative from the parish of Ouachita, although returned as elected by the Returning Board.

Hon. John Hughes, of Assumption, presented himself at the Speaker's stand, took the constitutional oath of office, and was seated as Representative from that parish.

Mr. Wilde presented a memorial from the teachers of the public schools of New Orleans, calling the attention of the House to their condition, resulting from the non-payment of their salaries, and to their discouraging prospects, resulting from the limited appropriation for city schools.

Referred to the Committee on Public Education.

House bill No. 272, "An act to amend and re-enact article 488 of the Code of Practice."

Was taken up with the Senate's amendments, which were concurred in as follows:

1. Insert after the word "reporter" in the eighteenth line of section 1, the words "or clerk."

2. Strike out the word "passage" in line 3 of section 2, and insert in lieu thereof the word "promulgation," and strike out all the words in the remainder of the section subsequent hereto.

The bill as amended was passed, and the title adopted.

House bill No. 336, "An act authorizing L. C. Maclin to institute suit against the State of Louisiana."

Was taken up under the favorable report of the Committee on the Judiciary.

The bill was taken as engrossed, and under a suspension of the rules was read a third time and passed.

The title was adopted.

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

House bill No. 359, "An act making an appropriation of the sum of $16,001, out of the revenues of 1876, for the board of State and city assessors of the parish of Orleans, the same to cover a deficit in the general appropriation bill of 1876."

Mr. Stagg moved to indefinitely postpone the bill.

The motion was lost by a rising vote of 34 yeas to 37 nays.

The bill was read a second time and referred to the Committee on Claims.

A message was received from the Senate asking the concurrence of the House in the following concurrent resolution:

Resolved, That the joint committee of the two houses appointed to select bills, and by whose report bills are placed on the preferred calendar, are hereby discharged, the duties assigned to this committee having been fulfilled.

The resolution was ruled out of order, as the House had already acted upon the subject matter by discharging the committee at their own request.

SENATE BILLS ON FIRST READING.

Senate bill No. 161, "An act to amend and re-enact section 29 of an act entitled 'An act to regulate public education in the state of Louisiana; to provide a revenue for the same; to impose certain penalties; to repeal sections of the Revised Statutes,' etc., approved March 26, 1877."

The bill was read, and under a suspension of the rules, passed to its second reading, and referred to the Committee on Public Education.

Mr. Leeds, chairman on behalf of that committee, reported on said bill favorably.

The report was received, and under a further suspension of the rules, the bill was read a third time and passed.

The title was adopted.

A motion was made by Mr. Leeds to reconsider the vote on the final passage of the bill, and was, on his motion, laid upon the table.

Senate bill 162, "An act for the relief of J. P. Vigerie, tax collector for the parish of Terrebonne.

Under a suspension of the rules, the bill underwent its several readings and was passed.

The title was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
New Orleans, April 21, 1877.

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

Gentlemen—I am directed to inform your honorable body that the Senate has finally passed Senate bill No. 164, entitled "Joint resolution providing for the payment of the mileage and per diem of persons returned as elected by the Returning Board, but not so elected and not entitled to seats, and authorizing the Governor to draw against the special fund appropriated by act No. 47 of the regular session of 1877, vouchers for said mileage and per diem as well as for other legislative expenses," and requests the concurrence of your honorable body in the same.

Respectfully,
JOHN CLEGG,
Secretary of the Senate.

The above entitled Senate bill was taken up, read, and under a suspension of the rules, was passed to its second reading.

Under a further suspension of the rules, the bill was passed to its third reading.

On the final passage of the bill the yeas and nays were called for by Mr. Lea, with the following result:

Yeas—Hon. L. Bush, Speaker, and Messrs. Aldige, Bridger, Breard, Burton, Bowden, Barron, Barrett, Boaley, Brooks, Buck, Berry, Cressy, Como, Drury, Dayries, Delavigne, Dickinson, Desmarais, D'Avy, Dejole, Dupree, Estopinal, Fobb, Fitzpatrick, Gaude, Gantt, Gaskins, Hughes, Holt, Hill of Orleans, Jones, Johnson H. M., Johnson Robert, Jonas, Kelly of Winn, Kelly of Orleans, Kidd, Lyons, Lewis, Leonhard of Orleans,