

OFFICIAL JOURNAL OF THE FIRST GENERAL ASSEMBLY OF THE STATE OF LOUISIANA.

SEVENTY-SECOND DAY'S PROCEEDINGS. SENATE. Thursday, April 8, 1880.

The Senate was called to order at 11 o'clock a. m. by the Hon. S. D. McEnery, Lieutenant Governor and President of the Senate.

On the call of the roll the following named Senators were present: Messrs. Ahy, Augustin, Brian, Buffington, Cahen, Campbell, Cunningham, Davey, Demas, Estopinal, Fontenot, Foster, Hagan, Harris, Kidd, Leake, Lucas, Luckett, Marston, Nunez, Nutt, Parlange, Perry, Pollock, Robertson, Rogers, Steele, Settoon, Simmes, Story, Vance, Walton, Watkins—29. Absent—Messrs. Buffington, Davey, Demas, Hagan, Montan, Settoon, Newton—7.

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

COMMITTEE SERVICE. The President of the Senate announced as the Committee of Conference on the part of the Senate on Senate bill No. 116, Messrs. Walton, Steele and Parlange.

REPORTS OF COMMITTEES. Mr. Watkins, chairman of the Committee on the Judiciary, presented the following report:

To the President and Members of the Senate: I am directed by your Judiciary Committee, to whom was referred

House bill No. 233, being an act to amend and re-enact section 696 of the Revised Statutes of the State relative to telegraph companies.

To report the same favorably, with the following amendments: First—Section 1, line 11, after "amended" insert "and re-enacted as follows."

Second—Section 1, line 29, strike out "render" and insert "obstruct."

House bill No. 267, being an act to authorize the police jury to take up and consider at this time, without prejudice to House bill No. 259 (license bill), House bills recorded in the Senate this day.

The following House bills were each read the first time by title and referred to a committee, as follows: House bill No. 51.

An act to provide the necessary stationery for the various judicial and other officers of the parish of Orleans.

House bill No. 211. An act to assign the clerks of the city courts of the city of New Orleans elected at the general election on second December, 1879, under the provisions of the constitution of 1879, and prescribing their oath.

House bill No. 278. An act for the issuance of warrants to school boards for certain unpaid appropriations falling due on or after January, 1874, up to January, 1879, and providing that said warrants shall be receivable for taxes or in exchange for bonds in certain cases.

House bill No. 292. An act to provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 293. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 294. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 295. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 296. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 297. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 298. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 299. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 300. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 301. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 302. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 303. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 304. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 305. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

MESSAGE FROM THE HOUSE. The following message, received from the House of Representatives, was read: To the President and Members of the Senate: I am directed to inform your honorable body that the House has finally passed and asks your concurrence in the following House bills:

House bill No. 51. An act to provide the necessary stationery for the various judicial and other officers of the parish of Orleans.

House bill No. 211. An act to assign the clerks of the city courts of the city of New Orleans elected at the general election on second December, 1879, under the provisions of the constitution of 1879, and prescribing their oath.

House bill No. 278. An act for the issuance of warrants to school boards for certain unpaid appropriations falling due on or after January, 1874, up to January, 1879, and providing that said warrants shall be receivable for taxes or in exchange for bonds in certain cases.

House bill No. 292. An act to provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 293. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 294. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 295. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 296. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 297. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 298. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 299. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 300. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 301. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 302. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 303. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 304. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 305. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 306. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 307. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 308. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 309. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 310. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 311. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 312. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 313. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 314. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 315. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 316. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

House bill No. 317. To put in effect article 299 of the constitution, relative to municipal and parochial taxation.

House bill No. 318. To provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation.

In the chair, the following named Senators were present: Messrs. Ahy, Augustin, Brian, Buffington, Cahen, Campbell, Cunningham, Davey, Demas, Estopinal, Fontenot, Foster, Hagan, Harris, Kidd, Leake, Lucas, Luckett, Marston, Nunez, Nutt, Parlange, Perry, Pollock, Robertson, Rogers, Steele, Settoon, Simmes, Story, Vance, Walton, Watkins—34. Absent—Messrs. Montan, Newton—2.

Consideration of House bill No. 259 resumed. Section 10 was read.

Mr. Robertson moved to adopt the amendments proposed by the Committee on Finance to section 10.

Mr. Vance offered the following as a substitute for the amendments proposed by the Committee:

Insert after the figures "25,000," in line 26, (printed bill) the words "and more than five thousand," and after figures 75, in line 40, insert the words "in towns having a population of five thousand or less the license shall be ten dollars for each one thousand inhabitants."

The substitute was agreed to.

On motion of Mr. Leake the word "half," in line 96, section 10, was stricken out and in lieu thereof the words "one-tenth" were inserted.

Mr. Demas offered the following amendment, which was agreed to:

Add at the end of section 10 the words, "provided, this shall not apply to bails given by private parties for religious or charitable purposes."

Section 10 as amended (printed bill) was adopted.

Section 11 was read.

MESSAGE FROM THE HOUSE. The following message, received from the House of Representatives, was read:

House of Representatives, Thursday, April 8, 1880. I am directed to inform your honorable body that the House has finally passed and asks your concurrence in the following House bills:

House bill No. 296. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 297. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 298. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 299. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 300. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 301. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 302. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 303. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 304. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 305. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 306. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 307. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 308. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 309. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 310. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 311. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 312. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

House bill No. 313. An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

On motion of Mr. Robertson the amendments proposed by the Committee on Finance to section 16 were adopted.

Section 16 as amended was adopted.

Sections 17 and 18 were read and agreed to.

Section 19 was read.

On motion of Mr. Robertson the amendments proposed by the Committee on Finance to section 19 were adopted.

Section 19 as amended was adopted.

On motion of Mr. Steele the vote by which section 12 was adopted was reconsidered.

Mr. Steele moved to reconsider the vote by which Mr. Marston's amendment to section 12, in reference to "toll bridges and ferries," was agreed to.

The Senate refused to reconsider the vote by which the amendment was adopted.

The section (12) was adopted.

Mr. Watkins moved to reconsider the vote by which section 16 was adopted.

The motion was agreed to.

On motion of Mr. Watkins the vote was reconsidered by which the Senate adopted the amendments proposed by the Committee on Finance to section 16.

On motion of Mr. Watkins the amendments proposed by the committee to section 16 were laid on the table.

Section 16 (printed bill) was agreed to.

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

REPORTS OF COMMITTEES. Mr. Hagan, chairman of the Committee on Parks and Public Buildings, obtained unanimous consent to submit at this time the following report:

To the President and Members of the Senate: I am instructed by the Committee on Parks and Public Buildings to report favorably on

House bill No. 229. An act to provide for the appointment of a superintendent and other officers and employees for the New Basin, Canal and Shell Road; prescribing his duties, fixing his salary and limiting the expenses of said basin, canal and shell road.

With the following amendment: Strike out the word "bridge," in line 25, section 6, to the word "provided," in line 28.

Respectfully, THOMAS HAGAN.

Mr. Harris, chairman of the Committee on City of New Orleans, obtained unanimous consent to submit at this time the following report:

COMMITTEE ON CITY OF NEW ORLEANS. To the President and Members of the Senate: Your committee, to whom was referred

House bill No. 51, entitled An act to provide the necessary stationery for the various judicial and other officers of the parish of Orleans, and

House bill No. 211, entitled An act to assign the clerks of the city courts of the city of New Orleans, elected at the general election on second December, 1879, under the provisions of the constitution of 1879, and prescribing their oath.

Respectfully submitted, EDWIN HARRIS, Chairman.

WITHDRAWAL OF PAPERS FROM THE FILES OF THE SENATE. Mr. Ahy obtained leave to withdraw from the files of the Senate the report of the Joint Committee on Examination of the Books, Vouchers, etc., of the State Auditor and Treasurer.

LEAVE OF ABSENCE. On motion of Mr. Steele, leave of absence for the remainder of the session was granted to the Hon. C. Newton.

SENATE BILLS ON SECOND READING. Senate bill No. 130.

An act to provide for the gauging and inspection of oils and fluids derived wholly or in part from coal or petroleum; to establish fees for the same, to provide for the appointment of gaugers and inspectors, to regulate and restrict the sale and use of said oils and fluids, and to provide penalties for the violation of this act.

Was taken up on second reading, and the bill was laid on the table.

condition, their management and their future wants, and that they take great pleasure in saying in each of these institutions they found the greatest interest taken by the board of management in the welfare of the unfortunate classes committed to their care, as well as the strictest economy in the expenditures of the appropriations for their benefit.

The superintendents of these institutions are all gentlemen of culture and well qualified for the various positions they have been called to fill. They are kind and humane and exercise a paternal care over those committed to their charge, as the neat and cheerful appearance of the inmates and the well kept condition of the yards, gardens and buildings show.

The boards managing these institutions are all well-known honest and business gentlemen, and have taken the same care in the business affairs of these institutions as their own private business, and their reports will show that no other institutions of a similar kind in the United States are managed so economically.

Your committee do not think it necessary to go into details, as full reports of the condition of all these institutions are before you, and would recommend the granting of all the appropriations asked for by the boards, knowing that no more is asked for than is absolutely necessary, and believing that every dollar appropriated will be economically and properly expended.

Respectfully submitted, THOMAS L. BUFFINGTON, J. LYONS, J. T. YOUNG.

Mr. Watkins, chairman of the Committee on the Judiciary, obtained unanimous consent to submit at this time the following report:

To the President and Members of the Senate: Your committee, to whom was referred

House bill No. 278. An act for the issuance of warrants to school boards for certain unpaid appropriations falling due on or after January, 1874, up to January, 1879, and providing that said warrants shall be receivable for taxes or in exchange for bonds in certain cases.

Respectfully, J. D. WATKINS, Chairman.

THIRD READING OF HOUSE BILLS. The following House resolution was read in full.

An address removing from office Louis E. Labarre, justice of the peace of the first ward of the parish of St. Martin.

Whereas, it has been fully established to the satisfaction of this Legislature that Louis E. Labarre is a defaulter to the State of Louisiana in the sum of twenty-one thousand eight hundred and thirty-two dollars and thirty-two cents (\$21,832.32), in his capacity as State tax collector of the parish of St. Martin for the year eighteen hundred and seventy-one (1871); therefore,

Resolved, That the General Assembly of the State of Louisiana, a majority of two thirds of the members of both houses concurring in this address, that Louis E. Labarre, commissioned as justice of the peace of the first ward of the parish of St. Martin, be and he is hereby removed from the said office of justice of the peace; and that said address be presented to the Governor of this State, in compliance with the constitution thereof, and that the same take effect from and after the date of its promulgation.

Mr. Perry moved the adoption of the resolution.

Mr. Robertson called the previous question.

The call having been sustained, the roll was called, with the following result:

Yeas—Messrs. Ahy, Augustin, Brian, Buffington, Campbell, Cunningham, Davey, Estopinal, Fontenot, Foster, Hagan, Harris, Kidd, Leake, Lucas, Luckett, Marston, Nunez, Parlange, Perry, Pollock, Robertson, Rogers, Steele, Settoon, Story, Vance, Walton, Watkins—28.

Nays—Messrs. Cahen, Demas, Simmes—3. Absent—Messrs. Foster, Montan, Newton, Nutt, Stewart—5.

And two-thirds of all the Senators elected to the Senate having voted therefor, the resolution was adopted.

Mr. Leake moved to reconsider the vote by which the resolution was adopted, and on his own motion the motion to reconsider was laid on the table.

On motion of Mr. Watkins the Governor was ordered to be notified of the action of the Senate on the resolution.

REPORT OF COMMITTEE ON ENROLLMENT. NEW ORLEANS, April 8, 1880.

To the President and Members of the Senate: The Committee on Enrollment respectfully report

Concurrent Resolution, Relative to the creditors of the Louisiana State University, As duly enrolled.

E. E. KIDD, Chairman.

NEW ORLEANS, April 8, 1880. To the President and Members of the Senate: The Committee on Enrollment respectfully report

Senate bill No. 163. An act to establish in the city of New Orleans a university for the education of persons of color; to provide for its proper government, etc.

As being duly enrolled. E. E. KIDD, Chairman.

SIGNING OF ENROLLED SENATE BILL AND CONCURRENT RESOLUTION. Senate bill No. 163 and Concurrent Resolution, relative to the creditors of the Louisiana State University, were read by title, and the Lieutenant Governor and President of the Senate affixed his signature thereto in open session and without delay.

HOUSE BILLS ON THIRD READING. House bill No. 30.

An act to regulate the number of employees of the clerks of the city courts of the city of New Orleans, and to fix their salaries. Was read the third time.

Newton, Nutt, Pollock, Stewart, Settoon—5. And the bill was finally passed. The title was read.

Mr. Cunningham offered the following amendment to the title: Strike out of the title the words "to repeal act No. 101, approved April 30, 1877."

The amendment was agreed to. Title as amended was adopted.

Mr. Robertson moved to reconsider the vote by which the bill was finally passed, and on his own motion the motion to reconsider was laid on the table.

RESOLUTIONS. Mr. Buffington obtained unanimous consent to introduce at this time the following resolution:

Resolved, That on to-morrow at 12 m. the Senate do proceed to elect the commissioners to superintend the repairs of the State House at Baton Rouge, under the provisions of Senate bill No. 145.

On motion of Mr. Buffington, and under suspension of the rules, the resolution was considered at this time.

The resolution was agreed to.

Mr. Kidd obtained unanimous consent to introduce at this time the following resolution:

Resolved, That thirty dollars of the unexpended funds allowed the Senate employees, be allowed the Committee on Enrollment for the purpose of employing additional clerks for the end of the session, and that the Committee on Contingent Expenses be required to retain said sum for said purpose, provided said additional force becomes necessary.

On motion of Mr. Kidd the rules were suspended to consider the resolution at this time, and on motion of the same Senator the resolution was adopted.

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

Be it Resolved by the Senate of the General Assembly of the State of Louisiana, That the sum of \$30 each is hereby appropriated out of the balance of the unexpended fund of the contingent expenses of the Senate to P. O'Brien, James Kathan and James McK. Richards, porters of the Senate, for their faithful and diligent attention to their duties.

That the chairman of the Committee on Contingent Expenses of the Senate is hereby authorized to issue warrants to the porters of the Senate for the amount stated.

The resolution lies over.

HOUSE BILLS ON FIRST READING REPORTED BY COMMITTEES. Mr. Robertson obtained unanimous consent to take up and consider at this time bills reported by committees this day.

House bill No. 31. An act to regulate the number of employees of the register of conveyances for the parish of Orleans, and to fix their salaries.

Was taken up, and read the second time and in full.

On motion of Mr. Augustin the bill was ordered to its third reading.

House bill No. 35. An act to fix the salaries of the deputies, clerks and other employees of the Criminal Sheriff of the parish of Orleans.

Was read the second time in full.

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

House bill No. 43. An act to fix the salaries of the minute and other deputy clerks and employees of the civil and criminal district courts and courts of appeals for the parish of Orleans.

Was read the second time and in full.

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

House bill No. 229. An act to provide for the appointment of a superintendent and other officers and employees of the New Basin, Canal and Shell Road; prescribing his duties, fixing his salary and limiting the expenses of said New Basin, Canal and Shell Road.

Was taken up, under the favorable report of the Committee on Internal Improvements, with an amendment by the committee.

The bill was read the second time and in full.

Mr. Hagan moved to lay the amendment proposed by the committee on the table.

By a rising vote of yeas 19, to nays not counted, the motion to table the amendment proposed by the committee was agreed to.

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

House bill No. 233. An act to amend and re-enact article 694 of the Revised Statutes of the State of Louisiana relative to telegraph companies.

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

The bill was read the second time and in full.

On motion of Mr. Rogers the amendments proposed by the committee were adopted.

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