

OFFICIAL JOURNAL
—OF THE—
FIFTH GENERAL ASSEMBLY
—OF THE—
STATE OF LOUISIANA.
EXTRA SESSION OF 1877.
SENATE.
Twenty-Ninth Day's Proceedings.
SENATE CHAMBER.
New Orleans, Thursday, April 5, 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. Allain, Breaux, Ducros, Ellis, Eustis, Garland, George, Kelly, Mitchell, Ogden, Perkins, Richardson, Sandford, Stubbs, Texada, Wheeler and Zacharie—15.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield, White and Young—20.
On motion of Mr. George the Senate took a recess for one-half hour.
AFTER RECESS.
The Senate was called to order by the Hon. L. A. Wiltz, Lieutenant Governor and President of the Senate.
On a call of the roll the following Senators answered to their names:
Messrs. Allain, Breaux, Ducros, Ellis, Eustis, Garland, George, Kelly, Mitchell, Ogden, Perkins, Richardson, Sandford, Stubbs, Texada, Wheeler and Zacharie—15.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield, White and Young—20.
MESSAGE FROM THE HOUSE.
HOUSE OF REPRESENTATIVES.
New Orleans, April 5, 1877.
To the Honorable the Senate of the State of Louisiana:
I am directed by the House of Representatives to inform your honorable body that the House has passed the bill, "An act to amend the laws relating to the protection of game, animals and birds in the State of Louisiana," with amendments.
Also, that the House has passed finally, and asks the concurrence of the Senate, in House bill No. 226, "To authorize and regulate the cleaning of vaults and privies."
Also, 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.
Respectfully,
PETER J. TREZEYANT,
Chief Clerk.
On motion of Mr. Kelly the reading of the journal in detail was dispensed with.
Mr. Breaux obtained unanimous consent to introduce without previous notice Senate bill No. 145, entitled "An act to establish a ferry across the Atchafalaya river at Simmsport."
Which was read a first time.
On motion of Mr. Breaux the constitutional rules were suspended, the bill read a second time and referred to the Committee on Corporations.
Mr. George obtained unanimous consent to introduce without previous notice Senate bill No. 146, entitled "An act to provide for the drawing of talesjurers in criminal trials in the parish of Orleans, where the accused is charged with a felonious crime, and for summing the same."
Which was read a first time.
On motion of Mr. George the constitutional rules were suspended, the bill read a second time and referred to the Committee on Judiciary.
Mr. Kelly obtained unanimous consent to submit the petition of certain merchants of New Orleans against the passage of the bill incorporating the Barataria Canal Company, which was read.
Mr. Eustis obtained unanimous consent to introduce without previous notice Senate bill No. 147, entitled "An act to provide for the revision of the statutes of the State of a general character."
Which was read a first time.
On motion of Mr. Eustis the constitutional rules were suspended, the bill read a second time and referred to the Committee on Judiciary.
Mr. Steven called up the following report of the Committee on Conference on vix:
Which was, on motion of Mr. Steven, adopted.
Mr. Robertson called up the following report of the Committee on House bill No. 162, viz:
The Committee on Conference on House bill No. 162, recommend the following substitute for the first section of the bill, and to be adopted as an amendment to the bill to read after the word "builded" the last line of the first section, the following proviso: "provided, that if the Common Council of the said city of New Orleans shall not cause the bills of the said Criminal Sheriff to be paid to him in cash within thirty days after they shall be rendered, as hereinafter provided, then the said Criminal Sheriff shall be entitled to charge and receive forty-eight cents per day, instead of forty cents for the keeping and maintenance of each prisoner charged for in said bill of bills." The two other amendments are agreed to.
W. A. ROBERTSON,
Senate Committee.
J. ALDIGE,
House Committee.
Which was, on motion of Mr. Robertson, adopted.
On motion of Mr. Robertson 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. Allain, Boutner, Breaux, Ducros, Ellis, Eustis, Garland, George, Kelly, Mitchell, Ogden, Perkins, Richardson, Sandford, Stubbs, Texada, Wheeler and Zacharie—21.
The roll of the House was called, when the following members answered to their names:
Hon. L. Bush, Speaker, and Messrs. Aldige, Aycock, Bridger, Broad, Eilley, Bowden, Porter, Brady, Buck, Bernier, Cockburn, Cockburn, Cressy, Darrins, Delavigne, Duke, Dupree, Fob, Ferguson, Fitzpatrick, Fourster, Perkins, Gilespie, Hammond, Jones, Kelly, Hill of Orleans, Jones, Kennedy, Kelly of Winn, Kelly of Orleans, Kernechan, Kidd, Lyons, Leona, Leona, Lamar, Lea, Leonard of Orleans, Martin, Meats, McGohee, Newsum, Nunez, Perera, Peltis, Richardson, Riland, Randolph, Rolfe, Robertson, Sartin, Shakspeare, Singleton, Self, Spiller, Singer, Stewart, Steele, Smart, Taylor, Tremoulet, Toler, Voorhies Wood, Williams, and Young of East Baton Rouge.
Sixty-eight members and a quorum.
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. Jones, of Orleans, Hon. Randall L. Gibson, of Orleans, Hon. D. F. Kenner, of Orleans, Hon. James Lewis, of Orleans, Hon. E. C. Billings, of Orleans.
Representative Kidd withdrew the name of Hon. Rufus Crane of Orleans.
Representative Buck withdrew the name of Hon. J. D. Hill of Orleans.
Representative Hill withdrew the name of Hon. Hardy Richardson of Washington.
Senator Breaux nominated Hon. Paul Waterman of Orleans.
Senator Allain nominated Hon. Jas. L. Cole of West Baton Rouge.
The rolls of the respective branches of the General Assembly were then called, with the following result:
Sensors Gland, Richardson and Steven and Representative Aycock, Bowden, Barbin, Brady, Berry, Bell, Briggs, Darrins, Ferguson, For-

ter, Huntington, Kelly, Lyons, Leona, Leonard, Newsum, Porter, Peralta, Randolph, Robertson, Shakspeare, Singleton, Spiller, Smart, Gage, Voorhies, Williams, and Young of East Baton Rouge voted for the Hon. B. F. Jones—31 votes.
Sensors Ducros, Kelly and Sandford, and Representatives Aldige, Buck, Cressy, Delavigne, Fitzpatrick, Hill, Kelly of Orleans, Kernechan, Lea, Martin, McGohee, Nunez, Richardson, Rolfe, Tremoulet, and Young of East Baton Rouge voted for the Hon. R. L. Gibson—22 votes.
Sensors Boutner, Ellis, Eustis, George, Goode, Perkins, Stubbs, Texada and Zacharie, and Representatives Bush, Bridger, Broad, Eilley, Barton, Cockburn, Cockburn, Duke, Dupree, Gaskins, Gilespie, Hammond, Jones, Kidd, Lamar, Meats, Pitts, Ryland, Self, Steele, Taylor, Toler and Wood voted for the Hon. James Lewis—32 votes.
Sensors Robertson and Allain voted for the Hon. J. L. Cole—2 votes.
Senator Wheeler and Representatives Kennedy, Sartin and Stewart voted for the Hon. E. C. Billings—4 votes.
Representative Fob voted for the Hon. James Lewis—1 vote.
Total number of votes cast 93; necessary to a choice 47.
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. Robertson 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. Breaux, Ducros, Ellis, Eustis, Garland, George, Grover, Mitchell, Perkins, Ogden, Perkins, Richardson, Robertson, Sandford, Perkins, Stubbs, Texada, Wheeler and Zacharie—15.
Absent—Messrs. Allain, Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield, White and Young—16.
PREFERRED CALENDAR.
Mr. Steven, chairman of the Committee on Finance, submitted the following report:
Rooms FRANKS COMMISSIONERS, New Orleans, April 4, 1877.
To the Honorable the President and Members of the Senate:
Gentlemen—The Finance Committee, to whom was referred House bill No. 241, entitled "An act to amend the laws relating to the protection of game, animals and birds in the State of Louisiana," have the honor to report as follows:
On section 1, favorably.
Strike out sections 2, 3 and 4.
Insert as section 2, the following: "That all laws or parts of laws in conflict with the provisions of this act be and the same are hereby repealed."
After the word "repealed," in the title, strike out the remainder of the title.
Respectfully,
WILL STEVEN, Chairman.
Which lies over under the rules.
Also, the following report, viz:
ROOMS SENATE FINANCE COMMITTEE, New Orleans, April 5, 1877.
To the Honorable the President and Members of the Senate:
Gentlemen—Your committee to whom was referred House bill No. 241, supplemental to act No. 28 of 1877, beg leave to report the same favorably and recommend its passage.
Very respectfully,
WILL STEVEN, Chairman.
On motion of Mr. Steven, the rules were suspended to consider the report at this time.
On motion of Mr. Steven, the report was adopted.
UNFINISHED BUSINESS.
House bill No. 241, entitled "An act to incorporate the Barataria Ship Canal Company; to authorize said company to construct and operate a ship canal, and all harbors, locks, dams, dykes, levees, etc., necessary for the same, from some point on the Mississippi river, at or near New Orleans, to the deep waters of the Gulf of Mexico, through, at, or near Barataria Bay or other harbor, roadstead or outlet on the coast of said Gulf, in the State of Louisiana; to fix the capital stock of said company and provide for the management of its business and affairs; to give the right of way for said canal; to provide for the use of such private property as may be needed for the same and its appurtenances; to authorize said company to use towboats and other crafts, and to charge and receive tolls for the use of said canal, or any part thereof; to authorize said company to reclaim and drain all the swamp and marsh lands which now belong, or may hereafter belong to the State of Louisiana, not acquired at tax sale, embraced between the Mississippi river, the Gulf of Mexico, and the Bayou Lafourche, and to erect and construct dykes, levees, etc., for the protection of the same, and to purchase the same from the State from time to time, as reclaimed, drained and fitted for cultivation by actual settlers, and excepting any land and under fence and claimed by pre-emption; to authorize said company to unite with any other company that has been or may be chartered, and to operate this charter in conjunction with any other already granted or that may be granted by the State of Louisiana, or the Government of the United States; to authorize said company to borrow money and issue bonds, and to mortgage and pledge its properties, franchises, bonds and stock; to provide for the issuance and disposition of full paid stock; to limit the liabilities of the stockholders of the said company; to remit all taxes on said company, its property, bonds and capital stock for ten years, and to repeal all laws in conflict with this act."
The President stated that when the Senate last adjourned it had under consideration the motion to adopt the following substitute of Mr. White for the amendment offered by Mr. Robertson, viz:
In line 25, after the word "river," insert the words "immediately opposite the city of New Orleans, and within what is now the Fifth Municipal District of."
And in line 25, strike out the words "at or near."
Mr. White withdrew his substitute.
Mr. Zacharie offered the following substitute for the amendment of Mr. Robertson, and moved its adoption:
In line 25, after the word "river," strike out the words "at or near," and substitute therefor "opposite the city of New Orleans, and at any point between Verret's Canal and a point one hundred yards above Harvey's Canal."
Adopted.
Mr. White offered the following amendment to the first section and moved its adoption:
Line 36, after "crafts" add "that the said canal shall never have any other exit on the Mississippi river than at the place or within the limits above named, and any failure so to do or any opening of any other exit shall operate a forfeiture of this charter, and as a penalty entail the ownership of all the property of said corporation to the State of Louisiana, without cost to the State."
Adopted.
On motion of Mr. Zacharie, the first section was amended as adopted.
The second section was read and on motion of Mr. Zacharie adopted.
The third section was read, and on motion of Mr. Zacharie adopted.
The fourth section was read.
Mr. Eustis offered the following amendment, and moved its adoption:
Add at the end of section 4, "and the company here incorporated, except for the purpose of exercising the rights and powers of a corporation only after an amount equal to five per cent of its capital stock shall have been actually paid in cash."
Mr. Allain in the chair.
Mr. Garland offered the following as a substitute for the amendment of Mr. Eustis.
In section 4, after the word "determine," in line 5, insert the following: "Provided that the privileges and franchises granted by this act shall be forfeited if the canal be not commenced within five years, and completed within twenty years from the promulgation of this act."

Mr. Eustis made the point of order that the substitute was out of order, for the reason that it was not germane to the amendment offered by him.
The Chair decided the point well taken.
MESSAGE FROM THE HOUSE.
HOUSE OF REPRESENTATIVES.
New Orleans, April 5, 1877.
To the Honorable the President and Members of the Senate:
Gentlemen—I am directed to inform your honorable body that the House asks to withdraw the concurrence of the House in Senate amendments to House bill No. 226, "An act to amend and amend the laws relating to the protection of game, animals and birds in the State of Louisiana," etc.
And to inform you that the House concurs in the Senate amendments to the bill, and that the House has amended the title of the bill, and asks the concurrence of the Senate in the same.
Also, that the House has passed the following bills and concurrent resolution, and asks the concurrence of the Senate in the same:
House bill No. 238, "An act to incorporate the Eastern Louisiana Railroad Company."
House bill No. 245, joint resolution, "To secure Congressional aid in rebuilding the capitol at Baton Rouge."
Concurrent resolution, "Relative to the examination of Bayou Bartholomew."
Respectfully,
PETER J. TREZEYANT,
Chief Clerk.
Lieutenant Governor Wiltz in the chair.
Mr. Eustis moved to reconsider the vote whereby his amendment was rejected and demanded the yeas and nays, the roll being called resulted as follows:
Yeas—Messrs. Ducros, Garland, George, Goode, Grover, Mitchell, Perkins, Robertson, Sandford, Stubbs, Texada and Zacharie—12.
Nays—Messrs. Allain, Breaux, Eustis, Kelly, Ogden, Richardson and White—8.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield, Wheeler and Young—15.
And the motion to reconsider prevailed.
Mr. Robertson moved to lay the amendment on the table.
On which motion Mr. Kelly demanded the yeas and nays.
The roll being called resulted as follows:
Yeas—Messrs. Ducros, Garland, George, Goode, Grover, Mitchell, Perkins, Robertson, Sandford, Stubbs, Texada and Zacharie—12.
Nays—Messrs. Allain, Breaux, Eustis, Kelly, Ogden, Richardson and White—8.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield, Wheeler and Young—15.
And the motion to table prevailed.
Mr. Eustis demanded the yeas and nays on the adoption of his amendment as amended by Mr. White.
The roll being called resulted as follows:
Yeas—Messrs. Allain, Breaux, Eustis, Kelly, Ogden, Richardson and White—8.
Nays—Messrs. Ducros, Garland, George, Goode, Grover, Mitchell, Perkins, Robertson, Sandford, Stubbs, Texada and Zacharie—12.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield, Wheeler and Young—15.
And the amendment was lost.
Mr. White offered the following amendment to section 4 and moved its adoption:
In line after "determine" add "provided that unless within two years, ten per cent of the capital stock be subscribed and paid in cash, then the franchise of the corporation shall ipso facto cease."
Mr. Robertson moved to lay the amendment upon the table.
On which motion Mr. White demanded the yeas and nays:
The roll being called resulted as follows:
Yeas—Messrs. Ducros, Garland, George, Goode, Grover, Mitchell, Perkins, Robertson, Sandford, Stubbs, Texada, Wheeler and Zacharie—14.
Nays—Messrs. Breaux, Ellis, Eustis, Kelly, Ogden, Richardson and White—7.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—14.
And the motion to table prevailed.
On motion of Mr. Breaux the Senate went into executive session.
Executive session being raised, on call of the roll the following Senators answered to their names:
Messrs. Allain, Breaux, Ducros, Ellis, Eustis, Garland, George, Goode, Kelly, Mitchell, Ogden, Perkins, Richardson, Robertson, Sandford, Stubbs, Texada, Wheeler, White and Zacharie—21.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—14.
On motion of Mr. Zacharie, section 4 was amended as adopted.
Section five was read.
Mr. White offered the following amendment, and moved its adoption:
In line 35 strike out "river."
Adopted.
Also section 5, line 51, after "canal" add "at the place named as above."
Adopted.
Mr. Ogden offered the following amendment and moved its adoption:
At the end of section 5 add, "Provided that the same be approved by the State Engineer."
Adopted.
On motion of Mr. Zacharie, the section was amended as adopted.
Section six was read, and on motion of Mr. Zacharie the section was adopted.
Section seven was read.
Mr. Eustis offered the following amendment and moved its adoption:
Add at the end of section 7, "Provided, that it shall be competent for the State by legislation to regulate and fix said tolls upon vessels, barges, rafts, etc."
On which motion Mr. Goode demanded the yeas and nays.
The roll being called resulted as follows:
Yeas—Messrs. Allain, Breaux, Eustis, Kelly, Ogden, Richardson, Robertson, Sandford, Stubbs, Texada, Wheeler and Zacharie—15.
Nays—Messrs. Ducros, Garland, George, Goode, Grover, Mitchell, Perkins, Richardson, Sandford, Stubbs, Texada, White and Zacharie—10.
Absent—Messrs. Allain, Ellis, Eustis and Wheeler—4.
And the motion to table prevailed.
Mr. White gave notice that he would move to reconsider the vote whereby the section was tabled.
Mr. Eustis moved to reconsider the vote whereby the substitute was laid on the table, which motion was, on motion of Mr. Grover, laid on the table.
On motion of Mr. Zacharie, section 12 was adopted.
On motion of Mr. Wheeler leave of absence for ten days was granted Mr. Ellis.
Mr. White moved that the Senate adjourn until 12 o'clock m., April 6, 1877.
On which motion Mr. Garland demanded the yeas and nays.
The roll being called resulted as follows:
Yeas—Messrs. Allain, Ducros, Ellis, Ogden, White and White—5.
Nays—Messrs. Eustis, George, Goode, Garland, Grover, Mitchell, Perkins, Richardson, Robertson, Sandford, Stubbs, Texada, Wheeler and Zacharie—14.
Absent—Messrs. Boutner, Breaux, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—15.
And the motion to table prevailed.
Mr. White gave notice that he would move to reconsider the vote whereby the section was tabled.
Mr. Eustis moved to reconsider the vote whereby the substitute was laid on the table, which motion was, on motion of Mr. Grover, laid on the table.
On motion of Mr. Zacharie, section 12 was adopted.
On motion of Mr. Wheeler leave of absence for ten days was granted Mr. Ellis.
Mr. White moved that the Senate adjourn until 12 o'clock m., April 6, 1877.
On which motion Mr. Garland demanded the yeas and nays.
The roll being called resulted as follows:
Yeas—Messrs. Allain, Ducros, Ellis, Ogden, White and White—5.
Nays—Messrs. Eustis, George, Goode, Garland, Grover, Mitchell, Perkins, Richardson, Robertson, Sandford, Stubbs, Texada, Wheeler and Zacharie—14.
Absent—Messrs. Boutner, Breaux, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—15.
And the motion was lost.
MESSAGE FROM THE GOVERNOR.
EXECUTIVE DEPARTMENT,
State of Louisiana,
New Orleans, April 5, 1877.
To the Honorable Senate of the State of Louisiana:
Gentlemen—I am directed by His Excellency the Governor to inform you that he has approved and signed an act originated in your honorable body, entitled:
"An act to authorize and empower the Governor to remove, for cause or incompetency, any officer or appointee whose appointment is made by the Governor, and to fill the vacancy created by that act, to more fully define, extend and limit the powers and purposes of said corporation, to extend and more fully describe the boundaries of said levee district, etc."
Respectfully,
DUNCAN S. CAGE, JR.,
Private Secretary.
Mr. Mitchell moved that the Senate adjourn until to-morrow, April 6, 1877, at 10 o'clock a. m., on which motion Mr. Garland demanded the yeas and nays.
The roll being called resulted as follows:

Burch, Caze, Dumont, Ellis, Harper, Kelly, Landry, Perkins, Sandford, Twichell, Wakefield and Young—15.
And the amendment was lost.
On motion of Mr. Zacharie, section 7 was adopted.
Section 8 was read.
Mr. Ogden offered the following amendment and moved its adoption:
Strike out in line 6 the word "in con-" and the whole of lines 7, 8, 9, 10, 11, 12, 13, and the word "years" in the 14th line.
Adopted.
Mr. White offered the following amendment and moved its adoption:
Section 8, line 2, after "be" add "shall be commenced within twelve months and be."
Mr. Zacharie offered the following as a substitute for the amendment of Mr. White and moved its adoption:
In line 5 strike out the word "ten" and insert in lieu thereof "twenty."
Mr. White moved to lay the substitute on the table, and demanded the yeas and nays.
The roll being called resulted as follows:
Yeas—Messrs. Allain, Ellis, Eustis, Ogden, Richardson, Robertson, Sandford, Stubbs, Texada, Wheeler and White—10.
Nays—Messrs. Ducros, Garland, George, Goode, Mitchell, Perkins, Robertson, Sandford, Stubbs, Texada and Zacharie—13.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield, Wheeler and Young—15.
And the motion to table was lost.
Mr. Allain moved that the Senate adjourn until Friday, April 6, 1877, at 12 o'clock m.
On which motion Mr. Garland demanded the yeas and nays.
The roll being called resulted as follows:
Yeas—Messrs. Allain, Robertson, Steven and Wheeler—4.
Nays—Messrs. Ducros, Ellis, Eustis, Garland, George, Goode, Mitchell, Perkins, Richardson, Robertson, Sandford, Stubbs, Texada, White and Zacharie—15.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—16.
And the Senate refused to adjourn.
The question recurring upon the adoption of the substitute of Mr. Zacharie, Mr. White demanded the yeas and nays.
The roll being called resulted as follows:
Yeas—Messrs. Allain, Ducros, Garland, Grover, George, Goode, Mitchell, Perkins, Richardson, Robertson, Sandford, Stubbs, Texada, Wheeler and Zacharie—14.
Nays—Messrs. Ellis, Eustis, Ogden, Richardson, White—5.
Absent—Messrs. Boutner, Breaux, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—15.
And the substitute was adopted.
Mr. White offered the following amendment to section 8 and moved its adoption:
After "patents" add, in line 38, "nothing herein shall prevent the entry of lands by other parties during the year above mentioned."
Adopted.
Mr. White moved to reconsider the vote whereby the amendment was adopted and moved to lay that motion on the table, and the motion to table was lost.
On motion of Mr. Zacharie, section 8 was adopted.
Section 9 was read, and on motion of Mr. Zacharie was adopted.
Section 10 was read.
Mr. White offered the following amendment, and demanded the yeas and nays on its adoption:
In line 11 strike out "or out of."
The roll being called resulted as follows:
Yeas—Messrs. Eustis, George, Kelly, Ogden, Richardson, White—5.
Nays—Messrs. Allain, Breaux, Garland, Grover, Goode, Mitchell, Perkins, Robertson, Sandford, Stubbs, Texada, Wheeler, Zacharie—14.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—15.
And the amendment was lost.
Mr. Ellis offered the following amendment and moved its adoption:
In line 11 strike out "may" and insert "shall."
In line 11 strike out the words "either or out of."
Mr. Garland made the point of order that the amendment was out of order for the reason that a similar amendment had just been voted down.
The Chair decided the point well taken.
Mr. Texada offered the following amendment to section 10, and moved its adoption:
Strike out the word "may" in line 11, and insert "shall." After "often," in line 12, add "in the State of Louisiana."
Adopted.
On motion of Mr. Zacharie the section was adopted.
Section eleven was read.
On motion of Mr. Eustis the section was stricken out.
Section twelve was read.
Mr. Eustis offered the following substitute for the section:
Sec. 12. That this act shall take effect from and after an act shall be passed by the United States Congress incorporating the Barataria ship canal, and authorizing the carrying out of the provisions of this act so far as any such legislation may be necessary.
Mr. Zacharie moved to lay the substitute on the table.
On which motion Mr. Eustis demanded the yeas and nays.
The roll being called resulted as follows:
Yeas—Messrs. Ducros, Garland, George, Goode, Grover, Mitchell, Perkins, Richardson, Sandford, Stubbs, Texada, White and Zacharie—16.
Nays—Messrs. Allain, Ellis, Eustis and Wheeler—4.
Absent—Messrs. Boutner, Breaux, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—15.
And the motion to table prevailed.
Mr. White gave notice that he would move to reconsider the vote whereby the section was tabled.
Mr. Eustis moved to reconsider the vote whereby the substitute was laid on the table, which motion was, on motion of Mr. Grover, laid on the table.
On motion of Mr. Zacharie, section 12 was adopted.
On motion of Mr. Wheeler leave of absence for ten days was granted Mr. Ellis.
Mr. White moved that the Senate adjourn until 12 o'clock m., April 6, 1877.
On which motion Mr. Garland demanded the yeas and nays.
The roll being called resulted as follows:
Yeas—Messrs. Allain, Ducros, Ellis, Ogden, White and White—5.
Nays—Messrs. Eustis, George, Goode, Garland, Grover, Mitchell, Perkins, Richardson, Robertson, Sandford, Stubbs, Texada, Wheeler and Zacharie—14.
Absent—Messrs. Boutner, Breaux, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—15.
And the motion was lost.
MESSAGE FROM THE GOVERNOR.
EXECUTIVE DEPARTMENT,
State of Louisiana,
New Orleans, April 5, 1877.
To the Honorable Senate of the State of Louisiana:
Gentlemen—I am directed by His Excellency the Governor to inform you that he has approved and signed an act originated in your honorable body, entitled:
"An act to authorize and empower the Governor to remove, for cause or incompetency, any officer or appointee whose appointment is made by the Governor, and to fill the vacancy created by that act, to more fully define, extend and limit the powers and purposes of said corporation, to extend and more fully describe the boundaries of said levee district, etc."
Respectfully,
DUNCAN S. CAGE, JR.,
Private Secretary.
Mr. Mitchell moved that the Senate adjourn until to-morrow, April 6, 1877, at 10 o'clock a. m., on which motion Mr. Garland demanded the yeas and nays.
The roll being called resulted as follows:

Yeas—Messrs. Allain, Ellis, Eustis, Ogden, Richardson, Robertson, Sandford, Stubbs, Texada, Wheeler and White—10.
Nays—Messrs. Ducros, Garland, George, Goode, Mitchell, Perkins, Robertson, Sandford, Stubbs, Texada and Zacharie—13.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—15.
And the motion was lost.
Mr. White made the point of order that the motion was out of order, he having given notice that he would move to reconsider the vote whereby the amendment to section 11 was rejected.
The Chair decided the point not well taken.
Mr. White appealed from the decision of the chair, on which motion Mr. Eustis demanded the yeas and nays.
The roll being called resulted as follows:
Yeas—Messrs. Allain, Ducros, Goode, Garland, Grover, Perkins, Sandford, Steven, Texada and Wheeler—10.
Nays—Messrs. Ellis, Eustis, George, Mitchell, Ogden, Richardson, Stubbs, White and Zacharie—9.
Absent—Messrs. Boutner, Breaux, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—16.
And the Chair was sustained.
Mr. White moved to reconsider the vote whereby the substitute for section 12, offered by Mr. Eustis, was laid upon the table.
Mr. Grover moved to lay that motion on the table, and the motion to table prevailed.
Mr. Allain moved that the Senate adjourn until Friday, April 6, 1877, at 12 o'clock m., and demanded the yeas and nays. The roll being called, resulted as follows:
Yeas—Messrs. Allain, Ellis, Eustis, Ogden, White—5.
Nays—Messrs. Ducros, Garland, George, Grover, Goode, Mitchell, Perkins, Richardson, Robertson, Sandford, Stubbs, Texada, Wheeler and Zacharie—15.
Absent—Messrs. Boutner, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—16.
And the motion was lost.
Mr. Goode moved that the bill be adopted on its second reading, and ordered read a third time.
Carried.
Mr. Allain called for executive session.
Mr. Grover made the point of order that the Senate having went into executive session once while the present bill was pending, it was not in order to call for executive session a second time during the pendency of the bill.
The Chair decided the point well taken.
Mr. White made the point of order that the adoption of the motion of Mr. Goode did not carry with it the incorporation of the amendments offered in the bill.
The Chair decided the point not well taken, for the reason that the adoption of the various amendments incorporated them in the bill.
Mr. Goode moved a suspension of the constitutional rules to place the bill on its third and final reading, on which motion Mr. White demanded the yeas and nays.
The roll being called resulted as follows:
Yeas—Messrs. Ducros, Garland, George, Goode, Grover, Mitchell, Perkins, Richardson, Robertson, Sandford, Stubbs, Texada and Zacharie—14.
Nays—Messrs. Allain, Ellis, Eustis, Ogden, Wheeler and White—6.
Absent—Messrs. Boutner, Breaux, Bryant, Burch, Caze, Dumont, Ellis, Grover, Harper, Kelly, Landry, Perkins, Sandford, Stubbs, Texada, Twichell, Wakefield and Young—15.
And the rules were not suspended.
Mr. Stubbs obtained unanimous consent to introduce without previous notice Senate bill No. 148, entitled "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, Louisiana and the Indian Nation."
Which was read a first time.
On motion of Mr. Stubbs the constitutional rules were suspended and the bill read a second time.
On motion of Mr. Stubbs the bill was considered engrossed, and ordered read a third time.
On motion of Mr. Stubbs the constitutional rules were suspended, the bill read a third time, finally passed, title adopted, and ordered sent to the House for concurrence.
Mr. Garland obtained unanimous consent to introduce without previous notice Senate bill No. 149, entitled "An act relative to contests for judicial and other offices, and providing a tribunal to try contested election cases, when the district judge and the parish judge are agreed, or motion is made to rescuse them."
Which was read a first time.
On motion of Mr. Garland, the constitutional rules were suspended, the bill read a second time, and referred to the Committee on Judiciary.
Mr. Mitchell obtained unanimous consent to introduce, without previous notice, Senate bill No. 150, entitled "An act to amend section 3 of act No. 19, entitled an act to authorize the Governor to appoint an Assistant Attorney General, defining his duties, and fixing his compensation; to fix the commissions which shall be paid to the Attorney General upon all sums collected by him in litigated cases, and paid into the State Treasury, and to repeal act No. 35," approved March 30, 1874.
Which was read a first time.
On motion of Mr. Mitchell the constitutional rules were suspended, the bill read a second time, and referred to the Committee on Judiciary.
On motion of Mr. Texada, the Senate adjourned until Friday, April 6, 1877, at 12 o'clock m.
JOHN CLEGG,
Secretary of the Senate.
A choice line of silk handkerchiefs and scarfs at M. L. Byrne & Co.'s special sale to-day.
Have Piper-Heidsieck, and only Piper, after the mass meeting.
New embroideries, already cut out, at extremely low prices, at M. L. Byrne & Co.'s, No. 163 Canal street.
On Monday, the 16th inst., there will be an election for directors of the Crescent City Railroad Company.
BUNNETT'S FLAVORING EXTRACTS—Are used and endorsed by the best hotels, confectioners, grocers and the first families in the country.
Attention is called to the Sheriff's sale to-day, at the Merchants' Exchange, at 12 o'clock, in the case of Beignot vs. succession of John Leisy, of that eligible store, No. 124 Canal street, immediately in the rear of the St. Charles Hotel. The property is now under lease. See the Sheriff's sale column.
SPRING GOODS AT WATKINS'.—Mr. Watkins has spent much time in New York making selections for the spring trade, and we can truly say a more stylish display of fashionable men's wear we have never seen. Be sure and give friend Watkins a trial; he has marked all his goods down to suit the times.
PIPER-HEIDSIECK.—We are pleased to learn that Mr. Wm. Osborn, of Messrs. John Osborn, Sons & Co., New York and Montreal, general agents for the United States and Canada of the old reliable Piper-Heidsieck Champagne, has been so successful during his stay in our city in placing his wine in the hands of such houses as Messrs. B. Scher, Sons, Bro. & Co., Zuber & Behn, Burke & Thompson, Thos. H. Hardy & Co., F. Conery & Son, Edmund D. Bois, Clark & Meader, Chas. Baljeu and other prominent merchants of our city. These gentlemen, we are confident will see that "Piper" is represented here. To have the trade always supplied with fresh importations, direct shipments from Rheims to New Orleans are now being made, and a shipment is now arriving ex steamer Hannover, and we hope soon to rival New York in its importations of Piper; and which, we learn from Messrs. John B. Osborn, Sons & Co., are from 500 to 1000 barrels weekly.
PREMATURE LOSS OF HAIR, which is so common nowadays, may be entirely prevented by the use of Burnett's Ointment.

THE NEW ORLEANS
Sanitary Excavating Co.,
(Incorporated by an act of the Legislature, with exclusive privilege of EMPTYING VAULTS, PRIVIES, SINKS, Etc.)

Are now in full operation, and are prepared to perform the above work with promptness and dispatch. The advantages derived from the use of the
Odorous Excavating Apparatus, as used by the company, are that the work can be performed at any hour of the day or night, the thorough manner in which the deposits are removed, the absence of all offensive odors, the shortness of time required (an ordinary sink being emptied in from ten to fifteen minutes) and, above all, ITS CHEAPNESS.
All orders left at the Company's office, No. 215, Common street, or sent to Postoffice box No. 915, will receive prompt attention. mh18 1m
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We have secured the agency of the celebrated
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which is undoubtedly the best beer in the world. We offer it in cases (Pints and Quarts) at very LOW PRICES.
MILLER & DIELMANN,
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COTTON SEED MEAL.
Pure and Freshly Ground Meal, of OUR OWN manufacture, for sale by
CRESCENT CITY OIL COMPANY,
ap1 1m 23 Union street.
P. O. FAZENDE,
Stock, Note and Bond
BROKER.
OFFICE—No. 175 COMMON STREET.
mh24 1f
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PAID BY
F. R. SOUTHWAYD,
NO. 18 UNION STREET.
Desk in Messrs. Ogden & Bell's office. Orders respectfully solicited. mh29 1f
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ON HAND, A LARGE AND SELECT STOCK of Rhine Wines, French, Hungarian and California Wines, Jamaica and Santa Cruz Rum, Kirsh and Zwetschwasser, California Fruits and Jellies.
For the Coming Holidays,
Also on hand, a large stock of Whiskies, Brandies, Cognacs, Gins, Sherries, Port, Absinthe and Vermouth, French and German Cordials, Fishers' Bottled Beer and German Seltzer.
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F. HOLLANDER,
59.....CUSTOMHOUSE STREET.....5
mh3
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Supplies Shins, Families, Hotels, etc., with EGGS, VEGETABLES,
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