The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, WEDNESDAY MORNING, FEBRUARY 1, 1871. 14th YEAR.—Vol. XLIV.—Whole—15,282

No. 73 Chartres street.

TERMS OF THE BEE.

Terms of Subscription.—Daily, per annum, in advance, $12; half-yearly, $6; quarterly, $4.
Price of the paper—Single copies, 10 cents.
The Semi-Weekly is published every Tuesday and Saturday. Subscription, $5 per annum, invariably in advance.
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Semi-Weekly Edition.

TERMS—PER YEAR.....$5.

NEW ORLEANS:
WEDNESDAY MORNING, FEB. 1, 1871.

Amusements This Evening.

ST. CHARLES THEATRE—"Hearts Ease."
ACADEMY OF MUSIC.—Henry IV, or the Battle of Shrewsbury."
CRESCENT CITY MUSEUM—Nos. 46 and 48 St. Charles street.

THE ADMINISTRATION OF CRIMINAL JUSTICE.

Among the many reforms now loudly called for in the several departments of the State Government is one which will make more effective the administration of criminal justice, especially in the city of New Orleans. During the year lately expired, several most extraordinary verdicts rendered by juries in the First Criminal Court have arrested public attention and elicited much comment. Parties known to be guilty of crimes of high grade have been declared "not guilty" by the juries sitting upon their cases. This result can be accounted for only upon one supposition—that there is something defective in the procedure of the court, or something faulty in the conduct of some public officer connected therewith. Our attention has been particularly called to a late trial in this parish, in which the accused obtained a verdict from a jury unlawfully composed. We are informed that on this jury were two men who swore when challenged by the prosecuting officer of the State, that they knew nothing about the parties on trial or the facts of the case, in other words swore to their competency, when it must have been known to some of the officers of court that these very men had manifested unusual interest in the accused from the time of their arrest, and had concerned themselves in obtaining their release from the Parish Prison on bail to appear when called upon to stand their trial. This case is cited as an instance of the malpractice carried on in and around our courts daily by those engaged in the administration of criminal justice, especially as in the matter of drawing juries. This malpractice is well known to the Judge, the Attorney General, the District Attorney, the Clerk, the Sheriff and all who attend criminal trials. It is boldly done, and scarcely without disguise, the principal agents being a certain class of public lawyers, whose sole occupation seems to be to obtain the release of murderers, robbers, counterfeiters and other felonious characters of high and low grade. So common has this business become that discharge from punishment for crime is now merely a question of money. Any felon having the means to fee a lawyer of the class alluded to and buy a jury, can proceed to the commission of any unlawful act whatever, and rely upon perfect impunity therefor, with exception, perhaps, of a few weeks' confinement in the public jail. Can this be done without the connivance of court officers? Can they be permitted to throw the responsibility of these false verdicts entirely upon the corrupt practices which have grown up under the jury system. The characters who follow the business of professional perjurers, who haunt around the courts waiting for employment, must be known to the public officers. Undoubtedly the jury box has been debased by the ignorant portion of the population largely qualified to serve in that capacity; and more undoubtedly verdicts have been rendered by negro juries altogether incompetent to determine the simplest question, but the evil of which we complain is not altogether attributable to this cause, and we think could be very much mitigated were every officer engaged in this department of the public service to do his duty to the State vigilantly and faithfully. We have been very much astonished that Attorney General Belden, in his late annual report to the General Assembly touching the administration of criminal justice in the State during the last year, does not make a single comment upon the system of jury trial, although it is now carried on, he must and does know, to the merest tyro; nor does he mention the extraordinary verdicts to which we allude. How he could have omitted to call the attention of the Legislature to a subject which is a daily topic of conversation among members of the legal profession, and the Judges of our courts, we are at a loss to understand. Certainly a reform in his department of the State government is most loudly demanded, and we trust the General Assembly will take up the subject before they adjourn.

AMUSEMENTS.

ACADEMY OF MUSIC.—Mr. Jack appeared again last night as *Falstaff*, in "Henry IV." The weather was still unfavorable, and we regretted that the performers had to go through their parts discouraged by the vacancy of so many seats. The play will be repeated to-night, and we can sincerely assure the admirers of Shakspeare's dramas that, in Mr. Jack's impersonation of *Sir John*, they will find much to think of as well as much to laugh at. The other performers go through their parts not excellently to be sure, still in a manner above mediocrity. Marie Wilkins, as *Lady Percy*, sustains herself very creditably.

ST. CHARLES THEATRE.—Notwithstanding the rain last night, Mr. Lotta had a good house at the St. Charles, to see her in "Heart's Ease," in which she was, as usual, admirable. She is respectably supported by the members of the regular company, and the performance went off with applause, which, though not very demonstrative, unmistakably attested her popularity. "Heart's Ease" again to-night.

The attention of the members of the State Legislature is invited to the memorial published in our columns to-day, from citizens of St. Landry parish, protesting against the dismemberment of the same and creating another parish out of its territory.

The attention of the mercantile readers is directed to the advertisement, in this issue, of Messrs. H. Valetin & Co., of 91 Bienville street, who offer for sale 250 cases red "Languedoc" wine and 100 cases orange flower water, landing ex-ship Anna Walsh, from Marseilles.

Louisiana Intelligence.

DESOTO PARISH.—The Mansfield *Reporter* says:

It is now nearly the middle of January, a period of the year when the cotton crop should be picked, ginned and packed, and we hear of planters who have not yet finished picking. One told us the other day that he had at least twenty bales in the field now. His, however, is an exceptional case.

RAPIDES PARISH.—The Alexandria *Town Talk* of the 25th says:

The last of our sugar planters have finished rolling. Truly they had a hard season of it. The crop of the parish was a large one and promised an immense yield, but bad labor, and a failure of it, with the excessive and continued cold weather has cut the crop at least one-third short. And should the latter misfortune, the greater, are entertained, and very justly too, if the stubble is badly hurt, if not totally killed.

ST. LANDRY PARISH.—An attempt has been made by certain citizens of this parish to divide its territory, for the purpose of making another parish within its limits, to be called St. Joseph. Petitions in furtherance of the design, are before the Legislature with an earnest protest against it.

WEST FELICIANA PARISH.—*Horrible Murder near Bayou Sara.*—We are credibly informed that a brutal and unprovoked murder was committed within two miles of the town of Bayou Sara on Saturday evening. Mr. W. D. Winter, a prominent lawyer, was called upon, about 7 o'clock, by some unknown person, and as he came out on the gallery of his house to meet the call, was shot down and killed. Mr. Winter was about 50 years of age and has been a resident of East and West Feliciana for many years, and had won the confidence and esteem of his fellow citizens. He was a remarkably quiet, modest, talented gentleman, and always kept himself aloof from political strifes and antagonisms. His numerous friends here are, therefore, at a loss to account for his assassination, and anxiously await further particulars. Mr. Winter leaves a wife and several children to mourn his loss. He was allied by marriage to some of the best families of Louisiana.

MEMORIAL.

To the Honorable the Senate and House of Representatives of the State of Louisiana in General Assembly convened:

The Memorial of the undersigned citizens and inhabitants of the parish of St. Landry, respectfully represents, That they have very recently learned with surprise, that efforts are being made in a certain quarter of said parish, by the circulation of petitions addressed to your honorable body, with the design of effecting by its *immediate* action, a division of the parish and the creation of a new one out of its territory and population. This movement, fraught with injurious consequences to the great body of the people of this parish from the manner in which it has been suddenly sprung upon them. It was not hinted at, much less canvassed in our late State elections, and it is evident that it is the design of its originators, as we believe to be a few persons from a certain quarter, intent solely upon their own personal advancement, by means unfavorable to its calm and sensible consideration.

Knowing, as your memorialists do, that you have only the interest and welfare of the entire population of our parish, and will not lend yourself to the advancement of a few to the detriment of the many, they are emboldened to address to your honorable body this memorial, and therein to lay before you their solemn and emphatic protest against the proposed measure.

The grave and serious reasons that influence your memorialists in making this protest, and asking your honorable body not to act favorably on the petitions to which they have alluded, are numerous; but they will confine themselves herein to the giving of a few, that they deem the most weighty.

The proposed division of this parish, they have understood, will establish a new parish lying to the south of this. Its northern and part of its eastern boundary will be for a considerable distance but a line drawn from the town of Opelousas, the seat of justice of St. Landry, in a form will be somewhat oblong, and from this central part thereof, where its seat of justice will undoubtedly be located, eight or nine miles only from Opelousas, the distance to the western and northern portions, where its population will be dense, will be greater than from the same sections to Opelousas.

The disadvantage as to distance from the eastern portion of the proposed parish for its center, to result to the people of that section of the country, from the formation of the new parish, would be, if any, trifling indeed. Very many of the undersigned, your memorialists, inhabit the western and northern portions of the proposed new parish, where a very large proportion of the population thereof exists, and they do not hesitate to join in the protest herein made. The proposed measure would leave Opelousas three or four miles from the northern limit of the proposed parish, and consequently far from the centre of the parish of St. Landry, thus inevitably leading to the removal from that town of the seat of justice, which would render necessary the erection of new public buildings, such as a court-house, jail, etc., at a heavy cost to a people already bowed to the earth and groaning under the weight of enormous State and parish taxes. The aggregate amount of these taxes for 1870 is *one hundred and sixteen thousand* dollars ($116,000), $56,000 of which compose the State taxes, and $60,000 thereof the parish.

During the year 1870 the property of two hundred and fifty-six delinquent tax-payers was exposed and advertised for sale. This state of things is appalling.

What an unfortunate moment for inaugurating an enterprise that will add to the burden of taxation under which we are now staggering! What reason can the originators of this scheme possibly give that can justify them in appealing to you to grant them what they ask at your hands? What great public good is to result from this measure that will justify the accumulation of taxes to result therefrom.

Since the year 1866, Opelousas has continuously been the seat of justice for this region of country. The singular exemption of this town, for a period of thirty years, from epidemic disease, has proven the wisdom of those who selected it for that purpose. During that long period of time, yellow fever in an epidemic form, has prevailed in other villages and localities of this and the adjoining parishes,—the town of Washington, for example, only six miles distant, has, during that time been repeatedly afflicted with that dreadful scourge. Opelousas is undoubtedly one of the most healthful, if not the most healthful town in the State. Its public buildings are of the best kind. The Court House, erected about fifteen years ago, is large, commodious and substantial; the Clerk's and Recorder's Offices, excellent fire-proof buildings, erected at considerable cost to the people.

The attractive features of this place, among which are those above enumerated, have induced many persons to locate themselves here; pleasant homes and substantial interests have sprung up in and around it. These, if the proposed change be made, will be broken up and destroyed, and for what purpose? That a small number of the people in the extreme part of the State may be more distant from the seat of justice, may have a few miles less to travel, when called upon to attend to their own business of their own, or that of the public. That additional offices may be created to be filled by men who live on the public, or that speculators may realize schemes intended alone to fill their pockets.

It will thus be perceived that the proposed change, should it will inflict upon the far greater portion of the people of this parish great evils, will be attended with questionable advantages only to a portion of those who have to compose the population of the new parish, and none at all to the balance.

We therefore respectfully pray, that your honorable bodies may reject the proposed division of this parish, asked for by the petitioners aforesaid.

AVERT THE EVIL.—If mothers would give Mrs. Whitcomb's Syrup to their children when sick, mortality would be less among them. It costs only 25 cents.

Dr. Sage's Catarrh Remedy is an Extract of Medicine, hunting, gathered up to cure the most ignorant and credulous, but is a perfect Specific for Nasal Catarrh. "Cold in the head," and kindred diseases. The proprietor, R. V. Pierce, M. D., of Buffalo, N. Y., offers $500 for a case he cannot cure. Sold by druggists or sent by mail for sixty cents. A pamphlet free.
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LOUISIANA LEGISLATURE.

TWENTY-FOURTH DAY.

TUESDAY, January 31, 1871.

Senate.

The Senate was called to order at noon by Lieutenant-Governor Dunn.
Twenty-six Senators present.
Prayer by the Chaplain.

REPORTS.

By Mr. Ray: Committee on Judiciary—Original bill to correct typographical errors and omissions, etc. Ordered printed.

By Mr. Pinchback: Federal Relations—Favorably on a bill relative to the sale of public lands to the United States Government, and also on a bill relative to the appropriations of lands. Lies over.

By Mr. Todd: Libraries—Original bill relative to binding, etc., certain laws and decisions of the Supreme Court.

By Mr. Lewis: Health and Quarantine—Favorably, with amendment, on a bill relative to gratuitous vaccination and the ravages of small-pox.

NOTICES OF BILLS.

By Mr. Herwig—Of a bill to incorporate the Lafourche and Terrebonne Railroad Company.

By Mr. Lewis—Of a bill to establish a public park.

By Mr. Fish—A bill to amend, etc., an act relative to the boundaries of the city and parish of Orleans.

ACCORDING TO PREVIOUS NOTICE.

By Mr. O'Hara—A bill in relation to public printing. Ordered printed and referred to Committee on Printing.

By Mr. Dudley: By consent—A bill to repeal, etc., an act conferring additional power on the Justices of the Peace of 1st and 2d wards of the parish of St. Landry.

By Mr. Roy: By consent—A bill amendatory, etc., and to incorporating the North Louisiana and Texas Railroad Co. Referred to Finance Committee and ordered printed.

By Mr. Campbell—A bill to amend, etc., section 1, 2, 3 and 5 of the New Orleans Sanitary and Fertilizing Company. Referred to the Committee on Health and Quarantine.

By Mr. Hunsacker—A bill for the relief of G. F. Roman. Referred to Judiciary Committee.

By Mr. Anderson, by consent—A bill relative to granting the privilege to Mrs. Louisa F. Collins to keep a ferry across the Atchafalaya. Referred to the Committee on Commerce.

By Mr. Sypher—A bill to incorporate the town of Brashear and to repeal provisions acts. Referred to the Committee on Corporations.

The President informed the Senate that the Apportionment bill was enrolled and that the title indicated that one of its objections was to repeal all other similar bills whereas there was no "repealing" clause in the bill itself.

JOINT RESOLUTIONS.

By Mr. Jenkins—A resolution providing for a recess of ten days from and after the passage of this resolution, providing that it will entail no extra expense. Lies over.

The President announced the following special committees:

A resolution authorizing the appointment of clerks by the committee to investigate the affairs of the Auditor. Adopted.

BILLS LYING OVER.

Mr. Butler called up a bill to locate the seat of justice in Plaquemines parish. Passed finally.

Mr. Lewis called up a bill to define and fix the compensation of the State printer. Ordered printed, and made special order for Friday next at 11 o'clock.

Mr. O'Hara called up a bill for the relief of C. O. Miron, late State printer.

The bill was laid on the table subject to call.

A bill incorporating the Louisiana Savings Bank and Safe Deposit Company was called up, and referred to the Committee on Banks.

SENATE BILLS ON SECOND READING.

A bill to amend and re-enact section 2017 of the Revised Statutes. Bill read substantially and made the order of the day for Friday at 1 o'clock.

Senate bill No. 2—A bill relative to the publication of the Civil Code. Ordered printed and made the special order of the day for Friday at 1 o'clock.

A bill to amend and re-enact article 2235 of the revised Civil Code. Similar to above.

A bill to repeal section 2701 of the revised Statutes.

Senate bill No. 46—Amending and re-enacting an act relative to salaries of Parish Judges and Clerks. Made the 5th system. Disposed of as above.

Senate bill appropriating $6000 to refund taxes on cotton and gin houses erroneously collected. Referred to Committee on Appropriation.

Senate bill for the relief of Alex. Dumas. Referred as above.

Senate bill for the relief of Alpin Loulis, for payment for building levees. Referred to the Committee on Levees.

Senate bill creating the parish of Warmoth.

Mr. Jenks moved that the bill and a remonstrance of citizens of the territory affected by the bill, be recommitted to the Committee on Parish and Parish Boundaries.

The motion was laid on the table.

Considerable debate followed, resulting in the passage of the bill entitled "An act to create the parish of 'Red River' substituted for that of 'Warmoth.'"

Senate bill for the relief of R. Richard; was taken up and finally passed.

Mr. Pierce was called to the chair.

Two bills, one creating an additional Justice's Court and the other an additional Justice's Court for Jefferson, were taken up a second time and lie over.

Senate bill for the relief of J. D. Sterling, for payment of work done on the levees in Point Coupee in 1866 and 1867.

Mr. McMillan inquired why this work was not paid for by the Military Board of Public Works, of which he, Mr. McMillan, was at the time a member, and which settled for all claims of this kind. He knew of no law authorizing the parish of Point Coupee to order work of this kind, which was to be paid for by the State. He added, that this parish cost a good deal more for levees, in proportion to the revenues derived from it by the State, than any other parish.

Mr. Jenks entertained the opinion that "where wrongs had been done something should be paid for." The claim was just one and the State had drawn benefit from it.

Mr. McMillan remarked that if the parish had caused the work to be done under authority of the military law, the claim should have then been paid for.

The Senate refused to consider the bill as engrossed for a third reading.

Senate bill No. 50—For the relief of John G. Hale, for the difference between green backs and warrants, the latter having been paid to him instead of cash, as per contract with the Board of Levee Commissioners. Amount of bill $9033 54.

The bill was considered engrossed.

Senate bill to define and fix the salaries of the Chief and Associate Justices of the Supreme Court. Referred to Finance Committee.

Senate bill No. 71—An act amending the first section of an act relative to the appointment of the Public Administrators in cases of successions. The bill provides for the appointment by the parish Judges instead of by the Governor. Referred to Judiciary Committee.

Lieut. Gov. Dunn resumed the chair.

Senate bill No. 72—Incorporating the Louisiana Transportation Company. Referred to Committee on Corporations.

Joint resolution No. 8, relative to a joint committee on matters in the city of New Orleans, to report by bill or otherwise to the Senate, etc.

Mr. Whitney having moved to refer this resolution to the Committee on Drainage, Mr. Pinchback moved to lay that motion on the table, which failed.

Mr. Pinchback indulged in a speech containing considerable sarcasm, in which he took occasion to inquire into the motives of Senator Jenks for refusing to appoint a special committee in the important matter of drainage when they had voted on hundreds the previous day for a special committee on banking, while he was opposing to what he called the schemes of others to drain the city by digging canal from somewhere up the country to somewhere near the Gulf.

Mr. McMillan asked the Speaker how he expected to drain the city except by digging canals.

Mr. Pinchback answered by a system of sewerage. [I have never been shown, or by pondering perpetually the sewerage of the *Legislature*, as there appears to be a disposition to do.

Mr. Ray spoke at length upon the necessity of draining the city, and urged upon getting to work at this matter in a proper manner—by appointing a competent engineer empowered to send for persons and papers, and to employ an engineer.

Mr. Blackman opposed the resolution on principle, because the Legislature had nothing to do with the drainage of the city. He referred to the Ship Island Canal bill, which was to run from the city, and he inquired of what had become of the $5,000,000 of drainage. This interference with the affairs of the parish of the State was wrong. It does not belong to the State to correct the errors of the city in the matter of drainage.

A motion to adjourn was lost.

The resolution was finally referred to the Committee on Drainage, and the Senate adjourned.

House of Representatives.

The House was called to order at 12 M., 97 members present, Speaker Carr in the chair.

Prayer by the Chaplain.

Mr. Thompson moved that the reading of the Journal be dispensed with and its adoption be postponed to a future time. Carried.

Mr. Carr rose and stated, that having for the last two or three days observed the feeling against him as Speaker of the House of Representatives, he herewith submitted his resignation in writing. He said he had endeavored to do his duty to all persons and parties while in his official capacity as Speaker, that he loved the Republican party well to be the cause of dissension, and begged leave to offer his resignation.

Mr. Carr then descended from the platform and took a seat on the left of Mr. Dawson.

Mr. Harper in the chair.

Mr. Faulkner moved that the resignation of Mr. Carr, as Speaker, be accepted.

Mr. Thompson moved to lay that motion on the table. Lost.

The resignation of Mr. Carr, as Speaker, was then accepted by the House—yeas 48, nays 39.

Mr. Faulkner moved that the House now proceed to elect a Speaker.

Mr. Thompson moved, as a substitute, that the House take a recess for fifteen minutes.

A motion to table the motion to take a recess, was lost.

A vote was then taken upon the substitute. Carried: yeas 72, nays 26.

The House then took a recess for fifteen minutes.

At the expiration of that time, Mr. Harper called the House to order.

Mr. York called for the enforcement of the rule excluding all persons from the floor except members of the House and State Government.

Mr. Faulkner moved that the House now proceed to the election of a permanent Speaker. Carried.

Messrs. Carter, Burch, Gartecamp and Carr were then nominated.

Mr. Lott moved that the nominations be now closed.

When Mr. Gartecamp's name was read, he begged leave to decline.

Mr. Carter was elected Speaker on the first ballot. The vote was as follows: For Carter 60, Burch 35, Monforce 1, Antoine 1, Gartecamp 1.

Mr. Barnett moved that the newly elected Speaker be escorted to the Speaker's chair. Carried.

Mr. Harper appointed Messrs. Barnett, Burch and Gartecamp as per motion.

Speaker Carter was then conducted to the chair by these members and seated.

Upon assuming the position of Speaker, Mr. Carter rose and addressed the House as follows:

"I believe it is customary, when a member elected Speaker, and inducted into an office of this nature, to make a few remarks to those who have placed him in that position and return thanks to them. I have here this day been raised over a deliberative body, but that was some time ago, as your Speaker, I will need your forbearance, for I am rather rusty and dead. I will, however, use an ear trumpet to assist my deafness, and will so endeavor to brush up and brighten up my rustiness, that I may be able to see, hear and understand all that you require from me as your Speaker and render fairness and justice to all.

I thank you kindly and cordially for your expression of good will and esteem, as evidenced by your vote, placing me in this position of trust and honor. I did not look for or desire this office, and have only accepted it at your earnest and repeated requests. I desire that, if at any time, the majority of this House desire my removal (no matter from what cause) I will at once recognize the right of a majority, and give place cheerfully to him whom you may choose to elect to fill this chair. I will close by reiterating my desire to act fairly and conscientiously in all my decisions and rulings, recognizing the rights of all, and will endeavor to do justice to all. If I err it will not be wilfully. If I embarrass legislation, it will not be intentionally. If I do wrong, it will not be my fault, but my misfortune. In conclusion, gentlemen, I ask you for your assistance and cooperation."

The newly elected Speaker was then sworn into office by the oldest member of the House, Hon. T. Green Davidson.

Mr. Dayton in the chair.

A motion was made to adjourn, the yeas and nays were called and the motion was lost.

Mr. Thompson moved the adoption of the motion of the member from Cameron (Mr. Carter), offered yesterday, and upon which the House was declared adjourned; that the report of the Committee on Elections and Qualifications be made to-day, and to make their report be not received, and that Messrs. Hamilton of Orleans; Hudson, of West Feliciana; Beauvais, of St. Bernard; Bryan, of Calcasieu; Rhorer, of Jefferson Bonga; Barker, Wilson, of Lafourche, and Mesmers, of Rapides, (all Democrats), be hereby declared to be their seats as members of the House.

Upon this motion, Mr. Thompson called for the previous question.

The Chair stating this to be now the subject before the House, an appeal was taken from the decision of the Chair by Mr. Stamps, upon which the yeas and nays were called.

The Speaker then announced the following committees:

Committee on Judiciary—Messrs. Lewis, Lowell and Hunsacker.

Committee on Ways and Means—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Accounts—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Buildings—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Printing—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Lands—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Levees—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Improvements—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Health—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Education—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Claims—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Corporations—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Commerce—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Federal Relations—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Immigration—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Quarantine—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Mines and Minerals—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Rules—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Engrossed Bills—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Enrolled Bills—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Contingent Expenses—Messrs. Thompson, Lowell and Hunsacker.

Committee on Public Mileage