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OFFICIAL.

LEGISLATURE OF LOUISIANA.

FIRST SESSION—FIFTEENTH LEGISLATURE.

HOUSE OF REPRESENTATIVES.

MONDAY, 8th March, 1841.

The house met agreeably to adjournment.

The house having dispensed with its rules, Mr. Guion, in behalf of the committee to whom was referred the petition of Dr. J. R. Putnam, reported by a resolution:

'Resolved by the senate and house, &c. That our senators and representatives in congress be requested to invite the attention of the proper department of the general government to the machine lately invented by Dr. J. R. Putnam, of New Orleans, for removing obstructions or bars from the mouths of harbors and rivers, and to recommend a trial of the same, in order that its efficacy may be thoroughly tested.'

'Resolved, That the governor be requested to transmit a copy of the foregoing resolution to each of our senators and representatives in congress.'

Which was read for the first time, and the rules having been dispensed with, underwent a second reading and was adopted.

The clerk was directed to request the concurrence of the senate therein.

Leave of absence is granted to Messrs. Braud and Lowry.

In consequence of the resignation of one of the members of the committee on election, the speaker appointed Mr. Claiborne.

Mr. Tanner, in behalf of the committee of contingent expenses, made the following report:

NEW ORLEANS, February 6, 1841.

The committee on contingent expenses, to whom was referred the message of the governor accompanying an account and vouchers of the contingent expenses paid from the second day of March, 1840, to the 4th day of February, 1841, beg leave to report that they have examined the said account and find the same to be correct.

BRANCH TANNER.

Said report was adopted.

Mr. Morse, in behalf of the committe on elections, reported:

That the committee have had under consideration the returns of the late election in the city of New Orleans, to fill the vacancy occasioned by the resignation of C. Roselius, Esq., and beg leave to report that C. M. Conrad, Esq., has been duly elected a member of the house of representatives from the city of New Orleans to fill some vacancy.

P. A. MORSE,
For the Committee.

On motion, said report was adopted.

Mr. Conrad, in behalf of the committee of the penitentiary, reported as follows:

The committee on the penitentiary respectfully report:

That after having given their attention to every important question in relation to its administration, and after having visited the different branches of the establishment, no circumstance was brought to the notice of your committee calculated to cause a belief that the establishment was not in the main conducted with fidelity and efficiency. Just before the arrival of the committee at Baton Rouge, two of the prisoners had effected their escape from the establishment under circumstances which had induced a suspicion that a want of due vigilance on the part of the institution or of gross neglect or corruption on the part of a sentinel had enabled the prisoners to escape—this was then a matter which, in their opinion, called for the most thorough scrutiny and investigation—and from the interest manifested in relation to it, by the legislature and the public, the committee has instructed the chairman to make the most minute report of the facts—divulged by said enquiry. It appears that the escape was effected between the hours of eight and nine, P. M. some considerable time after all the convicts had been locked up in their cells. The cell building is in the shape of a Philadelphian. Around this building is erected a strong and high wall—at a distance of about twenty feet from the walls of the cell building and over these four outside walls has been thrown a roof—by which the cell building has been made a building within a building. By this construction the walls of the two buildings constitute an aisle on their two longest sides of at least sixty yards in length. The cells open on either side of these aisles, each range of cells fronting in opposite directions—none of them opening on either end of the building. It is the custom to place at night two sentinels in the space occupied between these two buildings—and to lock up the doors which lead from the exterior building. The duty of said two sentinels is for them to march up and down these aisles—having their attention thereby constantly directed to the doors of each range of cells. It appears that on the night of the escape, some little delay had occurred in placing one of the sentinels who had been necessarily detained in the cook shop—hurrying to conduct some convicts from there to the cells. The convict Adams seized hold of this precise and auspicious moment to attempt his escape—while the sentinel was at one extremity of the opposite aisle, he opened his door in the most dexterous manner, crept out and closed the door after him, and passed on to the cell of Hines, commonly called Dr. Hines, of which he opened the door. They then awaited the moment when the sentinel was at one extremity of the aisles, to pass to the other end—which, when they had reached, they ascended a step—flight of steps leading to a door which opened through a wall of the exterior building. This wall is one of the four outside walls which enclose the cell building. The door to which the stairs lead opens through this wall at a height of about forty feet from the ground and leads to a very large apartment now secured and unoccupied—but which, when negars were made, was used to carry on that manufactory, and goes under the denomination of the negar room. This negar room being separated from the cell building by a strong wall, was supposed not to require and had not had any great attention given to the strength in its original construction—accordingly if the prisoners reached this room no obstacle was presented to their escape except the height of the openings from the ground. The prisoners after they entered the room allured one end of a rope which they had provided, to the sill of a window and let themselves down. In the course of two days, however, they were both apprehended in the neighborhood and brought back to the penitentiary. When apprehended they said with them the ingenious instrument by which Adams had succeeded in unlocking his cell door—which cannot well be described—but of which the members of the legislature have had the opportunity of ocular inspection. The door opening into the negar room was of wood, and this they succeeded in getting to pieces by the use of a bit and brace with which Adams had provided himself—The point of the matter which the committee thought required explanation—and to which they called the attention of the chief warden was: First, How did Adams find time and opportunity to construct his ingenious machine and to possess himself of his rope, and carry both to his cell, and there conceal them?—Second, How came it that there existed so weak a point as the wooden door leading to the negar room? Third, How was it that the sentinel should remain in ignorance of the whole matter during the space of time occupied in boring the door, and, notwithstanding the noise which must have been necessarily occasioned by the operation.

To these inquiries, the chief warden answered that Adams was a worker in smaller articles of wood and negar; that the apertures afforded him opportunities on occasions to make small progress in constructing his machine without detection, and that Adams acknowledged that he was a long time in constructing it; and that he must at various times have carried the separate parts of the machine, and the pieces of the rope out of which he constructed his chisel, to his cell; that the sentinel over Adams may have been also what relaxed, and suspicion of him lulled on account of the feebleness of his health, which had been of long subsistence, that very little apprehension ever existed of escape by the doors of the cells, and that the non-existence of evidence which is constantly required to be practiced, may have been occasionally relaxed by the subordinates of the establishment, so as to permit the introduction and concealment of the articles. That as regards the door leading to the negar room, it was placed there in the original construction of the building, and from the little danger apprehended of its escape from the cells, had never occasioned any fears of escape from that quarter. That as regards the apparent neglect of the sentinel, the sentinel himself contends that he was in the faithful discharge of his duty at the time; that the prisoners must have chosen the moment when his back was turned to the other extremity of the aisle in order to carry on the process of boring, and stopping when he approached them; and that this they were enabled to do the better as they were placed at a very great height above him, and the light in that part of the building obscure; and the convicts in their statement of the case, agree with the sentinel. It is alleged too, that a strong stench prevailed during the time the cells were emptying their escape. The sentinel may have been neglectful, but there was nothing to prove the probability that he had been corrupted.—The cell doors have been since secured in such a manner that it is thought impossible that any ingenuity or expedient can be applied to the convicts without the connivance of some exterior agent.

A rumor prevailed that a cruel punishment had been inflicted upon the succeeding convicts after their apprehension, but the enquiries of the committee in relation to that point, satisfied them that there was no foundation for the charge.

The high character of the chief warden, and the known humanity of his disposition, together with the character of the present and all the preceding boards of inspectors, afford an ample guarantee that no act of cruelty or of illegal punishment or severity will ever be tolerated within the walls of the institution.

Your committee visited several of the various departments in relation to the condition and administration of the establishment. From the report of the inspectors it will be perceived they speak in high praise of two important manufactures which have lately been put in operation, to wit: the manufacture of negro cotton and woollen cloths, and that of negro shoes—that there is a great and increasing demand for these manufactured articles, which yield a handsome profit. For it is thought that these articles are equal in quality and finish with any, of the same description, in the United States. The inspectors recommend a considerable extension of the manufacture of coarse cotton and woollen cloths, which require further appropriation, and they predict that if their suggestions are acquiesced in, the penitentiary, will, in two years from this time, be able to sustain itself, without any further call or appropriation from the state, and may even begin a course of revenue to the state.

The committee are satisfied that it is for the interest of the state to make this appropriation and have accordingly submitted a bill for that purpose, providing such terms for the payment of the appropriation as will occasion the least inconvenience to the treasury.

They are satisfied that by thus extending this manufacture the legislature will place this establishment on high ground. As a financial measure very extensive results may be expected to proceed from it—and as a measure calculated to draw the labour of the convicts from trades to manufactures—it will be the only effectual means of promoting and completing the policy which has been so often recommended by former committees:—the policy of so directing the labor of the convicts, as that they shall not come into competition with the mechanic labor and private enterprise of our citizens.

Your committee also approve of the suggestion to make provision for a standing fund for the purchase of the raw material employed in the manufactures—as experience has proved that the necessity of purchasing on credit greatly enhances the price of the article, and prevents the establishment from embracing opportune occasions of purchasing those articles. Your committee have in consequence, prepared and submitted a bill in relation to the subject.

In answer to enquiries contained in resolutions of the House of Representatives of the last Legislature, relative to the expediency of establishing the manufacture of cotton bagging, to be made of cotton and of the manufacture of white lead—the inspectors answer—that as regards the manufacture of cotton bagging of cotton—they do not think the manufacture would be profitable—they have set forth their reasons in their report—but the chief warden stated that as the resolution required that there should be two pounds of cotton in the yard—this with the wastage in the manufacture would bring the price of the raw material, for each yard, to twenty-five cents—that the manufacture of each yard would cost, at least, five cents—that the manufactured article would then cost the penitentiary thirty cents—this would render the article unsaleable at a profit. They say they would not advise at present the manufacture of white lead, but without stating their reasons. The inspectors concur in opinion, with a committee of the last legislature, in recommending that slaves who may be sentenced to imprisonment and hard labor, should be sent to the chain-gang of the city, which recommendation is approved of by your committee, and is one of the provisions of a bill which they have introduced. Your committee concur in the opinion and reasons expressed by a committee of the last legislature, who recommend, that by legal enactment it should be provided that no slave should be sentenced to imprisonment and hard labor for any offence less than capital—but that for such offences as the present law punishes, should be provided, permitting them, after its infliction, to be sent back to their masters, and accordingly have prepared and submitted a bill to that effect. Your committee, for the reasons they gave, concur in the opinion of a former committee in recommending a legislative enactment, providing the penalty of death for the crime of revolt within the walls of the penitentiary—and have introduced a bill for that purpose. The quarterly accounts and account current were minutely examined by the committee and proved to be correct; and abstracts are herewith submitted. The committee take pleasure in expressing their satisfaction at the manner in which the books and accounts of the establishment are kept. It appears that on the 31st December, 1840, there were 171 convicts, 63 of whom were received during that year—being five less than were received the year previous—of the number of convicts in the penitentiary, one hundred and seven are natives of the United States, and sixty-seven foreigners—about a third of them have been sentenced for larceny.

By the report of the physician it will appear that remarkable health prevails among the convicts.

The inspectors spoke in terms of approbation and praise of the chief warden and other officers of the institution.

F. D. CONRAD,
Chairman of the Committee of the
House of Representatives.

HIRIART,
Chairman on the part of the Senate.

On motion said report was ordered to be printed.

On motion the house appointed assistant clerk, Mr. Bays-n to carry messages to the senate.

On motion of Mr. Thomas, to lay all the business before the house until the first Monday in January;

Mr. Wadsworth called for the yeas and nays, when it appeared that—Messrs Burke, Cornay, Edwards, Martin, Thomas and Winchester, had voted in the affirmative—6 yeas;

And that Messrs. Bedford, Boudousquié, Bayliss, Bree'l, Claiborne, Clark, Conrad, of Baton Rouge; Carter, Creighton, Dugué, Declouet, Ellis, Foley, Friend, Hardesty, Lanaux, Morse, Pichot, Philips, Ratliff, Swayze, Taylor, Tanner, Voorhies and Wadsworth, had voted in the negative—25 nays.

Said motion was consequently lost.

The rules having been dispensed with, the house took up for a second reading a resolution from the senate authorizing the secretary of state to exchange certain books with E. Johns & Co.

On motion, said resolution was laid indefinitely on the table.

Mr. Morse, in behalf of the committee to whom was referred the bill from the senate entitled,

'A bill to limit the jurisdiction of justices of the peace to their respective wards,'

Reported the same without amendment.

On motion, the bill was laid indefinitely on the table.

By a message from the senate by Mr. Davis, their secretary, the house was informed that the senate had concurred in the following bills:

'An act to provide for the appointment of assessors in the parish of Calcasieu,' and

'An act authorising the removal of certain original papers and documents from the parishes of Carroll and Concordia to the parish of Madison.'

The rules having been dispensed with, the house took up the bill from the senate entitled,

'An act to amend an act entitled "An act to establish the manner of electing police jurors in the parish of Rapides, and for other purposes," approved March 9th 1836.'

Which was read for the first time, and the rules having been dispensed with, underwent a second reading, and the several sections having been adopted, and the rules having been dispensed with, underwent a third reading.

On motion, ordered the bill do pass and retain its title.

The clerk was directed to inform the senate thereof.

The house took up for a second reading a resolution from the senate authorising the governor to request of the secretary of war the gift or care of two field pieces, &c.

Which was, on motion, laid indefinitely on the table.

The house took up a resolution from the senate, 'appointing a joint committee of two members of the senate and —— members of the house of representatives, to enquire and report what new laws or rules or amendments may be deemed necessary and expedient, in the mode of keeping, printing, and distributing the journals of the two houses, &c.

Which was, on motion, laid indefinitely on the table.

Mr. Declouet, in behalf of the committee of enrolment, reported as duly enrolled the following bills and resolutions:

'Resolution granting leave of absence to W. J. Palfrey, parish judge of the parish of St. Mary.'

'Resolution requesting the secretary of state to procure a copy of the census of the state.'

'Resolution authorising the state treasurer to pay a certain sum of money to J. Morgan.'

'Resolution in relation to the defence of the state.'

'An act supplementary to an act entitled an act for the regulation of seamen in the ports of New Orleans and Bayou St. John and for other purposes,' approved January 11th 1823.

'An act for the relief of the Battalion of Artillery of Orleans, and of the Washington Battalion.'

'An act for the relief of Mary E. Pierrett.'

'An act granting to L. E. Pratt & Co. the privileges of keeping a ferry across Dorchester, in the parish of Claiborne.'

By the same message the signature of the speaker is requested to the following bills:

'An act to grant an appropriation to the Artillery Company of Baton Rouge.'

'An act to divide the office of harbor master for the port of New Orleans.'

By a message from the senate the house was informed of the concurrence of the senate to the bill entitled,

'An act for the relief of G. P. Briant, sheriff of the parish of St. Martin.'

Mr. Conrad, of Baton Rouge, introduced the following resolution, which was adopted:

'Be olved that the late day of the session renders it impossible for this house to take at present any action on various communications which have been made from several states of the Union. That the said communications be referred to committees for consideration—who are instructed at early day of next session to make such report on the subjects thus communicated as they shall deem advisable with their reasons—that the communications from the State of Connecticut and Alabama, be accordingly referred to the committee on agriculture, manufacture and commerce, that the communications from the States of Virginia and Vermont, be referred to the judiciary committee.

Be it further resolved, That the communication from the convention assembled at Washington in relation to the District of Columbia—be for like purpose and with like instructions referred to the judiciary committee.

By a message from the senate, the concurrence of the house was requested to the bill entitled,

'An act for the relief of the widow of Jules Noelle,' which was read for the first time, and the rules being dispensed with, underwent its second reading.

On motion, the house went into a committee of the whole.

Mr. Conrad, of Baton Rouge, being called to the chair.

After some time the committee rose, and the chairman, Mr. Conrad, reported that the committee had had said bill under consideration, and had adopted the same with amendment.

The house took up said report.

And on the adoption of the same, Mr. Cottman called for the yeas and nays, when it appeared that—Messrs. Aubert, Burke, Bedford, Bollies, Breed, Clark, Conrad, of Baton Rouge; Carter, Cornay, Creighton, Cuvillion, Conrad, of New Orleans; Dugué, Ellis, Edwards, Foley, Friend, Hardesty, Lanaux, Martin, Morse, Pichot, Philips, Ratliff, Swayze, Taylor, Tanner, Voorhies, Wells and Winchester, had voted in the affirmative—31 yeas;

And that Mr. Cottman, had voted in the negative—1 nay.

Said report was consequently adopted.

The several sections of the bill having been adopted and the rules having been dispensed with, the bill underwent a third reading and was adopted.

On motion, ordered the bill do pass and retain its title.

The clerk was directed to inform the senate thereof.

By a message from the senate, the house was informed that the president of the senate had signed the aforesaid bills and resolutions.

By a message from the senate, by Mr. Davis, their secretary, the house was informed that the senate had concurred in the bills entitled,

'An act making an appropriation for the use of the penitentiary,' and

'An act relative to the compensation of jurors in the parish of Avoyelles.'

And also in the amendment of the house to the bill from the senate entitled,

'An act to amend the article 513th of the code of practice.'

By a message from the senate, the signature of the speaker was requested to the following bills and resolutions:

'An act relative to roads and levees in the parish of Rapides.'

'An act for the relief of the Charity Hospital.'

'An act to pay B. Bryan for expenses paid by him for a runaway slave who died in jail.'

'An act to incorporate the Union Male and Female Academy.'

'An act to amend an act entitled 'An act to accord certain privileges to the town of Natchitoches, approved February 5, 1819, and for other purposes.'

'Resolution to protect the credit of the State of Louisiana.'

'Resolution relative to the survey of roads.'

'Resolution to authorise the persons therein named to change their names.'

Mr. Declouet, in behalf of the committee of enrolment, having reported the above bills and resolutions as duly enrolled, the speaker signed the same and the clerk was directed to inform the senate thereof.

By a message from the senate, the house was informed that the president of the senate had signed the following enrolled bills and resolutions:

'An act granting to the Parish of Madison the advantage of the annual appropriation for parish schools.'

'An act to incorporate the St. Mary's Market Steam Ferry Company.'

'An act for the relief of A. Pugh.'

'An act supplementary to an act entitled 'An act to create a register of mortgages in and for the parish of Natchitoches, approved March 12th 1840, and for other purposes.'

'An act to amend an act entitled 'An act to incorporate the town of Franklin, and for other purposes,' approved March 16th, 1839.

'An act relative to criminal prosecutions in the first judicial district.'

'An act to grant to the board of administrators of public schools for the parishes of Claiborne and Assumption certain powers therein mentioned, and for other purposes.'

'An act to amend an act entitled an act to incorporate the town of Franklin, and for other purposes.'

'An act to authorize the police jury of the parish of St. Tammany to grant to Abbé C. Hoemer the privilege of building a bridge on the Bogue Falaya, in the parish of St. Tammany.'

'An act for the relief of Municipality No. 1, of New Orleans.'

'An act to compel the different parish judges to keep their office at the seat of justice in their respective parishes, and for other purposes.'

'An act to establish a ferry and bridge in the parish of Madison.'

The speaker signed the same, and the clerk was directed to request the signature of the president of the senate.

By a message from the senate, the house was informed that the president of the senate had signed the aforesaid bills and resolutions.

By a message from the senate, by Mr. Davis, their secretary, the house was informed that the senate had concurred in the bills entitled,

'An act making an appropriation for the use of the penitentiary,' and

'An act relative to the compensation of jurors in the parish of Avoyelles.'

And also in the amendment of the house to the bill from the senate entitled,

'An act to amend the article 513th of the code of practice.'

By a message from the senate, the signature of the speaker was requested to the following bills and resolutions:

'An act relative to roads and levees in the parish of Rapides.'

'An act for the relief of the Charity Hospital.'

'An act to pay B. Bryan for expenses paid by him for a runaway slave who died in jail.'

'An act to incorporate the Union Male and Female Academy.'

'An act to amend an act entitled 'An act to accord certain privileges to the town of Natchitoches, approved February 5, 1819, and for other purposes.'

'Resolution to protect the credit of the State of Louisiana.'

'Resolution relative to the survey of roads.'

'Resolution to authorise the persons therein named to change their names.'

Mr. Declouet, in behalf of the committee of enrolment, having reported the above bills and resolutions as duly enrolled, the speaker signed the same and the clerk was directed to inform the senate thereof.

By a message from the senate, the house was informed that the president of the senate had signed the following enrolled bills and resolutions:

'An act granting to the Parish of Madison the advantage of the annual appropriation for parish schools.'

'An act to incorporate the St. Mary's Market Steam Ferry Company.'

'An act for the relief of A. Pugh.'

'An act supplementary to an act entitled 'An act to create a register of mortgages in and for the parish of Natchitoches, approved March 12th 1840, and for other purposes.'

'An act relative to the compensation of jurors in the parish of Avoyelles.'

'An act relative to criminal prosecutions in the first judicial district.'

'An act for the relief of G. P. Briant, sheriff of the parish of St. Martin.'

'An act to grant to the Board of administrators of public schools, for the parishes of Claiborne and Assumption, certain powers therein mentioned, and for other purposes.'

'An act to amend an act entitled 'An act to incorporate the town of Franklin, and for other purposes.'

'Resolution authorizing the treasurer to pay to James Absalom Carter, $138 13 cents, for services as constable in a certain suit in the District Court of Natchitoches.'

By the same message, the signature of the speaker of the house was requested to the following bills:

'An act to amend an act entitled, 'An act to amend article 3214 of the civil code, approved 17th Feb. 1841;' and

'An act for the relief of the widow of Jules Noelle.'

Mr. Pichot, in behalf of the committee of enrolment, reported as duly enrolled the following bills, entitled:

'An act to amend the act entitled an act relative to roads and levees in the parish of Plaquemines, approved 30th March, 1840.'

'An act for the relief of the Commercial Insurance Company of New Orleans,' and

'An act relative to the compensation of jurors in the parish of Avoyelles.'

The speaker signed the same, and the clerk was directed to inform the senate thereof.

By a message from the senate, the house was informed that the senate had concurred in the following bills and resolutions:

'An act relative to roads and levees in the parishes of Assumption and Lafourche Interior.'

'An act to create additional precincts of election in the parish of St. Martin, and for other purposes.'

'Resolution relative to the station for the Gulf of Mexico of a steam ship of war, and within the waters of the Mississippi.'

'Resolution relative to the removal of the obstructions on the bars of the east and west ends of Pass Manchac.'

'An act to amend the charter of the congregation of the Catholic Church of St. Paul, in the parish of Avoyelles.'

'Resolution relative to the examination of the river Calcasieu and its tributaries, and the river Mermentau.'

'An act to create an additional notary public for the parish of Ascension and auctioneer for the town of Donaldson.'

'Resolution relative to the examination of Bayou Pierre, branch of Red river.'

'Resolution relative to the examination of Bayou Carnay, in the parish of Union, from its junction with the Dorcheuse to the state line.'

On motion, the house went into a recess of one hour.

On motion, the house took up for a second reading a bill from the senate, entitled,

'An act to amend an act entitled 'An act to incorporate the town of Donaldson.'

On motion, said bill was laid on the table indefinitely.

In consequence of the absence of one of the members of the committee on contingent expenses, the speaker appointed Mr. Swayze in lieu of the absent member.

The house took up for a second reading a bill from the senate entitled,

'An act to amend an act entitled an act to amend the article 3214 of the Civil Code, approved 17th February, 1841.'

Which was adopted, and the rules having been dispensed with underwent a third reading

On motion, ordered, the bill do pass and retain its title.

The clerk was directed to inform the senate thereof.

The house took up for a second reading a resolution from the senate authorising the governor to request of the secretary of war the gift or care of two field pieces, &c.

Which was, on motion, laid indefinitely on the table.

The house took up a resolution from the senate, 'appointing a joint committee of two members of the senate and —— members of the house of representatives, to enquire and report what new laws or rules or amendments may be deemed necessary and expedient, in the mode of keeping, printing, and distributing the journals of the two houses, &c.

Which was, on motion, laid indefinitely on the table.

Mr. Declouet, in behalf of the committee of enrolment, reported as duly enrolled the following bills and resolutions:

'Resolution granting leave of absence to W. J. Palfrey, parish judge of the parish of St. Mary.'

'Resolution requesting the secretary of state to procure a copy of the census of the state.'

'Resolution authorising the state treasurer to pay a certain sum of money to J. Morgan.'

'Resolution in relation to the defence of the state.'

'An act supplementary to an act entitled an act for the regulation of seamen in the ports of New Orleans and Bayou St. John and for other purposes,' approved January 11th 1823.

'An act for the relief of the Battalion of Artillery of Orleans, and of the Washington Battalion.'

'An act for the relief of Mary E. Pierrett.'

'An act granting to L. E. Pratt & Co. the privileges of keeping a ferry across Dorchester, in the parish of Claiborne.'

'An act amendatory to the several acts relative to hawkers and pedlars.'

'An act explanatory of articles No 128 and 568 of the Code of Practice, and for other purposes.'

'An act to repeal the act approved March 1st, 1839, extending the limits of the town of St. Francisville, and incorporating the same, so far as relates to that part of said town as includes the village as laid out at the mouth of Bayou Sara, in the parish of West Feliciana, and for other purposes.'

'An act granting to Jas. Andrews, senior, the exclusive privilege of keeping a ferry across the Mermentau river for a limited period.'

'An act providing for the sale of the Model Farm and appurtenances, and for the creation of a sinking fund.'

'Resolution in relation to practice in United States Courts in Louisiana.'

'An act relative to public notices in the parish of Avoyelles.'

'An act granting certain privileges to H. Hoover and H. Daniels.'

'An act to repeal the act entitled an act authorizing the governor of the state to form a Light Infantry Battalion in the Legion of Louisiana, and for other purposes,' approved March 16th, 1839.

'An act relative to criminal prosecutions in the first judicial district.'

'An act for the relief of G. P. Briant, sheriff of the parish of Natchitoches.'

'Resolution authorising the state treasurer to pay a certain sum of money to J. A. Carter, of the parish of Natchitoches.'

'Resolution instructing the Board of Public works to cause a survey of bayou Teche, in the parish of St. Landry, and bayous Jean de Jean and Rapides, in the parish of Rapides.'

Mr. Declouet in behalf of the committee of enrolment, reported as having submitted this day to the governor for his approval the following enrolled bills and resolutions:

'A resolution granting $138 and Hezekiah Carter.'

'An act relative to Mary E. Tyler.'

'An act for relief of A. Pugh.'

'An act to incorporate the St. Mary's Market Steam Ferry Company.'

'An act relative to an act relative to a register of mortgages in the parish of Natchitoches.'

'An act relative to public schools in the parish of Madison.'

'An act relative to tax fee in the parish and district courts of the parishes of Rapides, St. Landry, Natchitoches and Caddo.'

'A resolution relative to a geological, typographical and scientific survey of the state.'

'A resolution granting a sum of money to C. D. Brashear, late sheriff of Avoyelles.'

'A resolution instructing the state engineer to make a survey of Bayou Teche, between Bayou Fusilier and Courtableau.'

By a message from the governor by Mr. Forstall, his private secretary, the house was informed that he had approved and signed on the —— March 1841, the following bills and resolutions:

'An act relative to roads and levees in the parishes of Assumption and Lafourche Interior.'

'An act to create additional precincts of election in the parish of St. Martin, and for other purposes.'

'An act to create additional precincts of election in the parish of St. Martin, and for other purposes.'

'Resolution relative to the station for the Gulf of Mexico of a steam ship of War, and within the waters of the Mississippi.'

'Resolution relative to the removal of the obstructions on the bars of the east and west ends of Pass Manchac.'

The speaker then stated to the house that said amendment had been received in the committee of the whole, and the report of the committee adopted which the speaker was not in the chair.

On motion, the house receded from their amendment.

The clerk was directed to inform the senate thereof.

By a message from the senate, the concurrence of the house was requested to an amendment made by the senate in the phraseology of the first section of the bill of the senate entitled,

'An act to divide the office of the harbor master of the port of New Orleans.'

Which amendment has become indispensable, in consequence of the amendment made by the house to the title of the bill.

The house took up said bill and adopted the same, and the clerk was directed to inform the senate thereof.

The house took up for a second reading the bill from the senate, entitled

'An act relative to the advertisements of sheriffs' sales.'

The several sections having been adopted, and the rules having been dispensed with, the bill underwent a third reading.

On motion, ordered the bill do pass and retain its title.

The clerk was directed to inform the senate thereof.

The house took up a bill from the senate, entitled 'An act to amend an act entitled an act to establish the number of electing police jurors in the parish of Rapides, and for other purposes,' approved March 9th 1836.'

Which was read for the first time, and the rules having been dispensed with, underwent a second reading, and the several sections having been adopted, and the rules having been dispensed with, underwent a third reading.

On motion, ordered the bill do pass and retain its title.

The clerk was directed to inform the senate thereof.

The house took up for a second reading a resolution from the senate instructing the secretary of the state to cause the journals of the convention that framed the state constitution to be printed and published, and the distribution of the same to be made in the same manner as the journals of the house.

On the motion to lay the rules under consideration on the table, Mr. Cottman called for the yeas and nays, when it appeared that Messrs. Burke, Bedford, Boudousquié, Bayliss, Breed, Bickham, Claiborne, Carter, Cornay, Creighton, Cuvillion, Conrad of New Orleans, Ellis, Edwards, Ferrière, Guion, Lanaux, Martin, Hubert, Ratliff, Thibodeaux, of St. Janes, Voorhies, Wadsworth and Winchester, had voted in the affirmative—24 yeas; and that Messrs. Cottman, Morse, Philips, Thomas, Taylor and Winchester had voted in the negative—6 nays.

Said motion was consequently adopted.

On motion, the house went into a recess until five o'clock, P. M.

MONDAY, March 8th, 1841.

(Evening Sitting.)

The house met agreeably to adjournment.

By a message from the senate, by Mr. Davis, their secretary, the house was informed of the concurrence of the senate in the bills entitled:

'An act for the relief of the Commercial Insurance Company.'

By the same message the signature of the speaker was requested to the bill entitled,

'An act relative to the advertisements of sheriff's sales.'

Mr. Guion moved that the use of the hall be granted to the state convention, to be held on to-morrow morning for the purpose of nominate for governor, which was granted by the house.

By a message from the senate the house was informed that the senate had concurred in the following bills and resolutions:

'Resolution in relation to a Dredging Machine, invented by Dr. J. R. Putnam.'

'An act for the relief of the Asylums of Orleans,' And,

'An act to amend the act entitled an act relative to roads and levees in the parish of Plaquemines, approved 30th March, 1840.'

'An act for the relief of the Commercial Insurance Company of New Orleans.'

'An act relative to the compensation of jurors in the parish of Avoyelles.'

'An act making an appropriation for the use of the Penitentiary.'

'An act authorising the removal of certain original papers and documents from the parishes of Carroll and Concordia, to the parish of Madison.'

'An act to provide for the appointment of assessors in the parish of Calcasieu, and for other purposes.'

'An act relative to fawkers and pedlers and to the collectors of taxes on trades, professions and occupations in the city of New Orleans.'

'An act for the relief of Preston Foud.'

'An act for the relief of Thomas B. Lee, Charles R. Griffith and others, owners of the steamer Cangita.'

'An act explanatory of articles numbers one hundred and twenty-eight and five hundred and sixty-eight of the code of practice, and for other purposes.'

'An act supplementary to an act entitled an act for establishing the boundary line of the parish of Assumption,' approved February 3d, 1841.

'An act supplementary to an act entitled an act for the regulation of seamen in the port of New Orleans and Bayou St. John, and for other purposes,' approved January 11th, 1823.

'Resolution requesting the secretary of state to procure an exact copy of the census of this state.'

'An act for the relief of the securities of A. B. Sterrit.'

'An act to amend an act entitled 'An act to incorporate the town of Franklin, and for other purposes.'

By a message from the senate, the house was informed that the senate had concurred in the following bills and resolutions:

'An act for the relief of G. P. Bryant, sheriff of the parish of St. Martin.'

'An act for the relief of the Asylums of New Orleans.'

'An act to amend an act entitled 'An act to incorporate the town of Donaldson.'

'An act relative to the advertisements of sheriffs' sales.'

'An act granting to the Parish of Madison the advantage of the annual appropriation for parish schools.'

'An act to incorporate the St. Mary's Market Steam Ferry Company.'

'An act for the relief of A. Pugh.'

'An act supplementary to an act entitled 'An act to create a register of mortgages in and for the parish of Natchitoches, approved March 12th 1840, and for other purposes.'

'An act relative to the compensation of jurors in the parish of Avoyelles.'

'An act relative to criminal prosecutions in the first judicial district.'