OFFICIAL.

LOUISIANA LEGISLATURE.

Journal of the Senate.

TUESDAY, 5th February, 1850.

The Senate met agreeably to adjournment. Present—Hon. J. B. Plauche, Lieutenant-Governor, President of the Senate; Messrs. Beebe, Bryce, Butler, Cade, Caulfield, Chambliss, Clark, Dagney, Drew, Dufour, Duncan, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Tatman, Van Wickle and Waddill.

PETITIONS.

Mr. Waddill gave notice he would introduce "An act to amend article 1739 of the Civil Code of Louisiana."

And "An act to amend articles 114 and 1613 of the Civil Code of Louisiana."

Mr. Ray gave notice he would introduce "An act granting compulsory process for obtaining attendance of witnesses in the trial of all cases of prosecutions by indictment or information."

"An act to consolidate the offices of Clerk and Recorder in the country parishes."

And "An act making the statute laws of the other States and of the United States, as published by the authorities of the States or United States, prima facie evidence of what the law is, without further certificate."

Mr. Bryce gave notice he would introduce "An act to take the sense of the good people of this State, as to the necessity and expediency of calling a Convention to amend the Constitution of the State."

Mr. Butler, of the Committee on Claims, to whom was referred "An act for the relief Jesse Stiles and others," reported favorably to said bill.

On behalf of the same committee, Mr. Butler reported

"An act for the relief of John Justin Quere, of the parish of Orleans."

"An act for the relief of Bernard Lafaye, a veteran of 1814-'15."

And "An act for the relief of Antoine Toulouse," which were read for the first time.

Mr. Moore, of the Committee on Printing, to whom was referred the resolution of Robert J. Ker, Register of the Land Office, reported that the Committee recommend that one hundred copies of said report be printed for the use of the Senate.

On motion, this recommendation of the Committee was adopted.

Agreeably to notice previously given, Mr. Dufour introduced

"An act to provide for the delivery of passports, and the authentication of documents in the city of New Orleans," which was read for the first time.

On motion, the rules were suspended, said bill was taken up as its second reading, and referred to the Committee on the Judiciary.

Agreeably to previous notice, Mr. Beebe introduced "An act to provide for the protection of persons and property against the explosion of boilers on board of steam vessels plying in the waters of the State of Louisiana, by competent engineers, and to punish their negligence," which was read for the first time.

On motion, the rules were suspended, said bill was taken up at its second reading, was referred to the Committee on Commerce, Agriculture and Manufacture, and was also ordered to be printed.

Mr. Layer, Clerk of the House, requested the concurrence of the Senate in "An act to exempt the officers and members of the Lafayette Riflemen, a volunteer company of the city of Lafayette, from jury duty."

Mr. Cade, of the Committee on Enrollments, reported the resolution granting leave of absence to the Auditor, as correctly enrolled, and the President signed the same.

Mr. Cade also reported

"An act to authorize the construction of a draw bridge at New Iberia," and the "Resolution inviting the Bank of Louisiana to continue its branch at Baton Rouge," as correctly enrolled, and the Assistant Secretary requested the signature of the Speaker of the House thereto.

He also requested the concurrence of the House in An act for the relief of Clement Eunet, a veteran of 1814-'15; and in An act to emancipate Simeon Belden.

The Assistant Secretary further informed the House that the President of the Senate had signed the enrolled resolution granting leave of absence to the Auditor.

Mr. Drew of the Committee on Federal Relations to whom were referred Mr. Moore's and Mr. Peck's resolutions relative to slavery, reported a substitute to said resolutions, which was read and ordered to be printed, and made the special order of the day for Tuesday next, 12th February inst.

On motion of Mr. Moore, the original resolutions were also ordered to be printed, together with said substitute.

On behalf of the same Committee, to whom was referred the resolutions of the States of Connecticut and Indiana, on the subject of slavery, Mr. Drew reported Resolutions in reference to the resolutions on slavery and the peace treaty from the States of Connecticut and Indiana, which was read for the first time.

On the part of the same Committee, Mr. Drew also reported An act to appropriate money to defray the expenses of the delegates to the Nashville Convention, to be holden in June next, which was also read for the first time.

Mr. Gutierez, the Governor's messenger, delivered a message in writing from the Governor.

Mr. Layer, Clerk of the House, requested the signature of the President of the Senate to the enrolled Act to change the name of Stephen West Moore to Stephen Moore Westmoore.

The President submitted a communication from George A. Pike, Postmaster at Baton Rouge, informing the Senate, that the mail for New Orleans will close daily, at 3 o'clock, p. m.

On motion of Mr. Hereford, the Senate took up, at its first reading, An act to amend the several acts relative to the Police and Government of the town of Baton Rouge.

On motion, the rules were suspended, said bill underwent its second and third readings and passed, and the Assistant Secretary informed the House of the concurrence of the Senate therein.

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Mr. Ledoux also delivered a message in writing from the Governor.

Mr. Peck introduced the following resolution, which was read and adopted.

Resolved, That the Directors of the Penitentiary inform the Senate why they have failed in compliance with the law relating to that institution, to present their annual statement to the Governor of the State, shewing the condition of that institution.

Agreeably to notice previously given, Mr. Barthe introduced a

Re-election authorizing the Governor to appoint three additional Notaries Public in and for the Parish of Natchitoches, one of whom shall hold his office in the Coushatta Ward, which was read for the first time.

On motion, the rules were suspended, said resolution was read for the second and third times, and was finally adopted.

The President submitted a communication from Mr. Alexander D. mitry, Superintendent of Public Education, transmitting a table of appropriement of school moneys.

On motion, said table was referred to the Committee on Public Education, and was also ordered to be printed.

Mr. Van Wickle, of the Committee on Internal Improvements, to whom was referred

An act to enable the Governor to have the swamp and overflowed lands selected, which were granted to the State of Louisiana, by the act of Congress of 24 March, 1849, reported favorably to said bill, which was ordered to be printed.

On motion, the Senate sat with closed doors on executive business.

The doors being opened:

On motion, the Senate adjourned till to-morrow at 10 o'clock, a. m.

WEDNESDAY, February 6th, 1850.

The Senate met agreeably to adjournment.

Present: Honorable J. B. Plauche, Lieutenant Governor, President of the Senate.

Messrs. Adams, Beebe, Boudousquie, Bryce, Butler, Cade, Caulfield, Clark, Chambliss, Cole, Dunney, Drew, Dufour, Gardere, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Tatman, Van Wickle and Waddill.

Mr. Layer, Clerk of the House, informed the Senate of the concurrence of the House, in:

"An act to change the time of holding Courts, in the 13th Judicial District."

"An act in reference to the Bank of Louisiana."

And in: An act for the relief of the Widow of Pierre David, of Point Coupee.

The Clerk of the House also requested the concurrence of the Senate in the following bills and resolutions:

"An act to authorize the several Municipalities of the City of New Orleans, to levy taxes upon Capitation.

"An act repairing the State Engineer to levee Mississippi, in the parish of Avoyelles."

"Resolution empowering the State Engineer to pa[illegible] the various works of Internal Improvement in such order and of time as he may think [illegible] for the general welfare."

"Act relative to proceedings in Criminal cases."

"An act to repeal section 19, of an act entitled 'An act to organize and define the authority, duties and functions of the Police Jury of the parish of Jefferson, and for other purposes, approved January 30th, 1834.'"

"An act to perpetuate evidence by providing that Newspapers be filed in the offices of Clerks of the District Courts, except for the parish of Orleans."

"An act to defray the expenses of the Inauguration of the Governor and Lieut. Governor."

And in: "An act to authorize Constables in the parish of Jefferson to appoint deputies."

The Clerk of the House further informed the Senate, that the Speaker of the House had signed the following enrolled bill and resolution:

"An act to authorize the construction of a floating or draw bridge at New Iberia."

And "Resolution inviting the Bank of Louisiana, to continue its branch at Baton Rouge."

The President signed the bill and resolution.

Mr. Van Wickle of the Committee on Enrollments, submitted the same to the Governor for his approval and signature.

Mr. Ledoux, the Governor's private Secretary, delivered a message in writing from the Governor.

Mr. Dufour introduced the following resolution which was read and adopted:

Resolved, That the President be requested to fill the vacancy on the Judiciary Committee, caused by the resignation of the Hon. George W. McWhorter.

The President appointed Mr. Harralson on said committee.

Mr. Bryce introduced the following resolution which was read and adopted:

Resolved, That the Committee on the Judiciary be instructed to bring in a bill to provide for the punishment of the crime of [illegible] in the State of Louisiana.

Mr. Van Wickle, of the Committee on Internal Improvements, to whom was referred

An act to amend article 644 of the Code of Practice, in order to exempt from seizure, a homestead to the inhabitants of this State.

And, an act continuing all public functions in office until their successors have been duly qualified, and determining the manner in which objections may be made to certain acts, reported favorably to said bills, and moved that the committee be discharged from their further consideration.

This motion was granted.

On motion of Mr. Moore, the bill to amend article 644 of the Code of Practice, in order to exempt from seizure a homestead to the inhabitants of this State, was referred to a Select committee of five members.

The President appointed Messrs. Moore, Sigur, Waddill, Phillips and Adams, of said Committee.

Mr. Waddill gave notice he would introduce an act for the relief of Robt. M. Dougherty, of the Parish of Avoyelles.

Mr. Caulfield obtained leave to introduce the following resolution, which was read for the first time:

Resolved, &c., That a committee be appointed, composed of three members of the Senate and of the House, to examine the present condition of the Lunatic Asylum at Jackson; and that they report on the propriety of extending the buildings, and on such other matters which they may deem important, pertaining to the Institution.

On motion, the rules were suspended, this resolution underwent its second and third readings, and was finally adopted.

The President appointed Messrs. Phillips, Chambliss and Dufour, of said committee on the part of the Senate.

Mr. Ray gave notice he would introduce the following bills:

An act to authorize the Clerks of the District Courts to homologate and approve the tableaux of distribution and accounts to be rendered by Administrators, Curators, Tutors and Syndics of Insolvents, when there is no opposition thereto; and,

An act invoking appeals in criminal cases, from every parish in this State, returnable to any place where the Supreme Court may be in session, at the opinion of the accused.

Mr. Phillips, of the Committee on Internal Improvements, to whom was referred the resolution instructing the State Engineer to make surveys on Bayou Vermillion, and to erect Locks and Dams on said bayou, reported a substitute to said resolution, entitled

An act to improve the Bayou Vermillion, which was read.

On motion of Mr. Dufour, the rules were suspended, and the Senate took up at its first reading.

An act to authorize the several municipalities of the city of New Orleans to levy taxes upon capital.

On motion, the rules were again suspended, said bill underwent its second and third readings and passed; and

The Assistant Secretary informed the House of the concurrence of the Senate in said bill.

Agreeably to previous notice, Mr. Ray introduced.

An act authorizing compulsory process to obtain the attendance of witnesses in criminal cases from any part of the State, which was read for the first time.

On motion, the rules were suspended, this bill underwent its second reading, and was referred to the Committee on the Judiciary.

SPECIAL ORDER OF THE DAY — SECOND READING.

The Senate took up the substitute reported by the Committee on Amendments to the Constitution, in lieu of Mr. Bryce's resolution amending certain articles of the Constitution.

The following, the two first paragraphs of said substitute, were read:

Resolved, &c., Three-fifths of the members elect to each house concurring herein, that the following be adopted and proposed to the people, as amendments to so much of the Constitution as provides for the appointment of Judges of the Superior Court and District Courts, Attorney General, District Attorneys, Secretary of State, the Treasurer of State, State Superintendent of Public Education and State Engineer.

AMENDMENTS TO THE CONSTITUTION.

Article 1st.—The Chief Justice and Associate Justices of the Supreme Court, and Judges of the District Courts, Attorney General, District Attorneys, Secretary of State, the Treasurer of the State, and the State Superintendent of Public Education and the State Engineer shall be elected by the people.

On motion of Mr. Moore, these two paragraphs were amended by striking from them the words "and the State Engineer" wherever they may occur.

Mr. Bryce moved that said two paragraphs be adopted.

Mr. Plauche in the chair:

Messrs. Beebe, Boudousquie, Bryce, Butler, Cade, Caulfield, Chambliss, Cole, Dagney, Drew, Dufour, Gardere, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Tatman, Van Wickle and Waddill, voted for their adoption—25 yeas; no nays.

They were consequently unanimously adopted.

The following, which is the 2d article of said substitute, was read:

Art. 2d. All qualified electors for Representatives, shall be qualified to vote for Chief Justice and Justices of the Supreme Court, and Judges of the District Courts, Attorney General, District Attorneys, Secretary of State, Treasurer of the State, and State Superintendent of Public Education, and State Engineer.

On motion of Mr. Moore, this 2d article was also amended by striking out the words "and State Engineer."

Mr. Bryce moved that said 2d article be adopted, as amended.

Mr. Plauche in the chair:

Messrs. Beebe, Boudousquie, Bryce, Butler, Cade, Caulfield, Chambliss, Cole, Dagney, Drew, Dufour, Gardere, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Tatman, VanWickle and Waddill, voted for its adoption—25 yeas, no nays.

Said 2d article was consequently unanimously adopted.

The following, which is the 3d article, was read:

Art. 3d. The elections shall be holden and conducted, and the returns thereof made by the same officers, and in the same manner, as elections and the returns thereof for Governor and Members of the General Assembly.

Mr. Bryce moved that the foregoing 3d article be adopted.

Mr. Plauche presiding:

Messrs. Beebe, Bryce, Butler, Cade, Caulfield, Chambliss, Cole, Dagney, Drew, Dufour, Gardere, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Tatman, VanWickle and Waddill, voted for its adoption—24 yeas; no nays.

Said 3d article was therefore adopted.

The 4th article was taken up, and pending its discussion.

On motion of Mr. Ray, the further consideration of the subject was postponed till to-morrow at 10 o'clock, M., for which time it was made the special order of the day.

On motion, the Senate sat with closed doors on Executive business.

The doors being opened:

On motion, the Senate adjourned till to-morrow at 10 o'clock, A. M.

WEDNESDAY, February 13, 1850.

The President signed the bill and resolution of the House, granting leave of absence to the Auditor, and the Assistant Secretary signed the same for the President.

Mr. Van Wickle, of the Committee on Internal Improvements, to whom was referred

An act to authorize the construction of a draw bridge at New Iberia, and the "Resolution inviting the Bank of Louisiana to continue its branch at Baton Rouge," as correctly enrolled, and the Assistant Secretary requested the signature of the Speaker of the House thereto.

He also requested the concurrence of the House in An act for the relief of Clement Eunet, a veteran of 1814-'15; and in An act to emancipate Simeon Belden.

The Assistant Secretary further informed the House that the President of the Senate had signed the enrolled resolution granting leave of absence to the Auditor.

Mr. Drew of the Committee on Federal Relations to whom were referred Mr. Moore's and Mr. Peck's resolutions relative to slavery, reported a substitute to said resolutions, which was read and ordered to be printed, and made the special order of the day for Tuesday next, 12th February inst.

On motion of Mr. Moore, the original resolutions were also ordered to be printed, together with said substitute.

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On the part of the same Committee, Mr. Drew also reported An act to appropriate money to defray the expenses of the delegates to the Nashville Convention, to be holden in June next, which was also read for the first time.

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On motion, said table was referred to the Committee on Public Education, and was also ordered to be printed.

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An act to enable the Governor to have the swamp and overflowed lands selected, which were granted to the State of Louisiana, by the act of Congress of 24 March, 1849, reported favorably to said bill, which was ordered to be printed.

On motion, the Senate sat with closed doors on executive business.

The doors being opened:

On motion, the Senate adjourned till to-morrow at 10 o'clock, a. m.

WEDNESDAY, February 6th, 1850.

The Senate met agreeably to adjournment.

Present: Honorable J. B. Plauche, Lieutenant-Governor, President of the Senate.

Messrs. Adams, Beebe, Boudousquie, Bryce, Butler, Cade, Caulfield, Chambliss, Cole, Dunney, Drew, Dufour, Gardere, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Tatman, Van Wickle and Waddill.

PETITIONS.

Mr. Waddill gave notice he would introduce "An act to amend article 1739 of the Civil Code of Louisiana."

And "An act to amend articles 114 and 1613 of the Civil Code of Louisiana."

Mr. Ray gave notice he would introduce

"An act granting compulsory process for obtaining attendance of witnesses in the trial of all cases of prosecutions by indictment or information."

"An act to consolidate the offices of Clerk and Recorder in the country parishes."

And "An act making the statute laws of the other States and of the United States, as published by the authorities of the States or United States, prima facie evidence of what the law is, without further certificate."

Mr. Bryce gave notice he would introduce "An act to take the sense of the good people of this State, as to the necessity and expediency of calling a Convention to amend the Constitution of the State."

Mr. Butler, of the Committee on Claims, to whom was referred "An act for the relief Jesse Stiles and others," reported favorably to said bill.

On behalf of the same committee, Mr. Butler reported

"An act for the relief of John Justin Quere, of the parish of Orleans."

"An act for the relief of Bernard Lafaye, a veteran of 1814-'15."

And "An act for the relief of Antoine Toulouse," which were read for the first time.

Mr. Moore, of the Committee on Printing, to whom was referred the resolution of Robert J. Ker, Register of the Land Office, reported that the Committee recommend that one hundred copies of said report be printed for the use of the Senate.

On motion, this recommendation of the Committee was adopted.

Agreeably to notice previously given, Mr. Dufour introduced

"An act to provide for the delivery of passports, and the authentication of documents in the city of New Orleans," which was read for the first time.

On motion, the rules were suspended, said bill was taken up as its second reading, and referred to the Committee on the Judiciary.

Agreeably to previous notice, Mr. Beebe introduced "An act to provide for the protection of persons and property against the explosion of boilers on board of steam vessels plying in the waters of the State of Louisiana, by competent engineers, and to punish their negligence," which was read for the first time.

On motion, the rules were suspended, said bill was taken up at its second reading, was referred to the Committee on Commerce, Agriculture and Manufacture, and was also ordered to be printed.

Mr. Layer, Clerk of the House, requested the concurrence of the Senate in "An act to exempt the officers and members of the Lafayette Riflemen, a volunteer company of the city of Lafayette, from jury duty."

Mr. Cade, of the Committee on Enrollments, reported the resolution granting leave of absence to the Auditor, as correctly enrolled, and the President signed the same.

Mr. Cade also reported

"An act to authorize the construction of a draw bridge at New Iberia," and the "Resolution inviting the Bank of Louisiana to continue its branch at Baton Rouge," as correctly enrolled, and the Assistant Secretary requested the signature of the Speaker of the House thereto.

He also requested the concurrence of the House in An act for the relief of Clement Eunet, a veteran of 1814-'15; and in An act to emancipate Simeon Belden.

The Assistant Secretary further informed the House that the President of the Senate had signed the enrolled resolution granting leave of absence to the Auditor.

Mr. Drew of the Committee on Federal Relations to whom were referred Mr. Moore's and Mr. Peck's resolutions relative to slavery, reported a substitute to said resolutions, which was read and ordered to be printed, and made the special order of the day for Tuesday next, 12th February inst.

On motion of Mr. Moore, the original resolutions were also ordered to be printed, together with said substitute.

On behalf of the same Committee, to whom was referred the resolutions of the States of Connecticut and Indiana, on the subject of slavery, Mr. Drew reported Resolutions in reference to the resolutions on slavery and the peace treaty from the States of Connecticut and Indiana, which was read for the first time.

On the part of the same Committee, Mr. Drew also reported An act to appropriate money to defray the expenses of the delegates to the Nashville Convention, to be holden in June next, which was also read for the first time.

Mr. Gutierez, the Governor's messenger, delivered a message in writing from the Governor.

Mr. Layer, Clerk of the House, requested the signature of the President of the Senate to the enrolled Act to change the name of Stephen West Moore to Stephen Moore Westmoore.

The President submitted a communication from George A. Pike, Postmaster at Baton Rouge, informing the Senate, that the mail for New Orleans will close daily, at 3 o'clock, p. m.

On motion of Mr. Hereford, the Senate took up, at its first reading, An act to amend the several acts relative to the Police and Government of the town of Baton Rouge.

On motion, the rules were suspended, said bill underwent its second and third readings and passed, and the Assistant Secretary informed the House of the concurrence of the Senate therein.

Mr. Ledoux, the Governor's private Secretary, informed the Senate that the Governor had approved and signed the Resolution instructing our Senators, and requesting our Representatives in Congress to use their influence to procure a daily mail from the city of New Orleans to the seat of Government of the State of Louisiana.

Mr. Ledoux also delivered a message in writing from the Governor.

Mr. Peck introduced the following resolution, which was read and adopted.

Resolved, That the Directors of the Penitentiary inform the Senate why they have failed in compliance with the law relating to that institution, to present their annual statement to the Governor of the State, shewing the condition of that institution.

Agreeably to notice previously given, Mr. Barthe introduced a

Re-election authorizing the Governor to appoint three additional Notaries Public in and for the Parish of Natchitoches, one of whom shall hold his office in the Coushatta Ward, which was read for the first time.

On motion, the rules were suspended, said resolution was read for the second and third times, and was finally adopted.

The President submitted a communication from Mr. Alexander D. mitry, Superintendent of Public Education, transmitting a table of appropriement of school moneys.

On motion, said table was referred to the Committee on Public Education, and was also ordered to be printed.

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