OFFICIAL.

LOUISIANA LEGISLATURE.

Journal of the Senate.

SATURDAY, 16TH MARCH, 1850.

The Senate met agreeably to adjournment. Present:—Hon. J. B. Plauché, Lieutenant Governor, President of the Senate.

Messrs. Adams, Beebe, Boudousquie, Bryan, Butler, Cade, Chamblias, Clarke, Cole, Dauney, Dorsey, Drew, Dufour, Duncan, Gardere, Gaudet, Haralson, Hereford, Lacoste, Moore, Peck, Ray, Richardson, Ricker, Sigur, Swayze, Tatman, and Waddill.

On motion of Mr. Cole, leave of absence was granted to Mr. Thibodeaux, for the balance of the Session.

Mr. Salomon, Assistant Clerk of the House, informed the Senate of the concurrence of the House, with amendments, to the body and title of

An act supplementary to an act to establish a Board of Health, in and for the parish of New Orleans, passed 26th March, 1848, and requested the concurrence of the Senate in said amendments.

He further requested the concurrence of the Senate in

An act permitting the Governor to employ a clerk; and in

An act to provide for the right of way for the building and constructing a railroad, from the city of New Orleans, to the city of Jackson.

The Assistant Secretary informed the House of the concurrence of the Senate in the amendments of the House to

An act to authorize E. T. Jones, to build a turnpike and plank-road, from the West bank of Bayou Dorchest to Shreveport.

An act for the relief of O. D. Stillman.

An act defining certain powers and duties vested in the Councils of the several Municipalities of the city of New Orleans.

And to the

Resolution directing the State Librarian to furnish certain books, upon the order of the clerk of the District Court of the parish of Claiborne.

He further requested the concurrence of the House in

An act to improve the navigation of Poston's Bayou, in the parish of Bossier.

An act to emancipate Julie Eugenie Depart, f. w. c.

An act to define the duties of Assessors.

An act to authorize J. Gibbs, J. Smith, and others, to make a turnpike road from Mount Lebanon to Minden.

An act in reference to ferries.

Resolution to procure the erection of a light-house, at the head of the South-West Pass of the Mississippi River, and one on Last Island.

And in an act to create an additional Notary Public, for the parish of Lavingston.

Mr. Ricker presented an account from Mr. H. Droz, State Librarian, for extra services rendered the State, in fitting up the State Library, which, was referred to the Committee on Claims.

Mr. Dufour obtained leave to introduce, without notice, a

Resolution in relation to the publication of the decisions of the Supreme Court, which was read for the first time.

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

Mr. Sigur obtained leave to introduce, without notice, the following resolution, which was read for the first time:—

Resolved by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened,—That the grateful obligations and thanks of this State are due to our fellow citizen, John Perkins, jun., Esq., now in Europe, for the high public spirit and liberality evinced by him, in the donation to the State of three quarto volumes, in manuscript, compiled under his direction, and at his expense, from the official records, &c., of all the public offices of Paris, and embracing "*a summary or index of all French documents, relating to Louisiana, from the earliest ages, to the year 1803, when the transfer was made to the United States,*" and that the Secretary of State communicate to Mr. Perkins, this resolution, in reply to his letter, published in the report of the bureau of statistics.

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

Mr Cole introduced the following resolution, which was read and adopted:—

Be it resolved,—That the State Engineer be, and is hereby requested to inform the Senate, why he has not opened the communication between Lake Boeuf and Lake or Bayou Lafitte Allemands, as required by resolution No. 34, of the Legislature, approved March 6, 1848.

Mr Dufour obtained leave to introduce, without notice,

An act granting a stand of arms, to each and every Fire Engine Company in the State, which was read for the first time.

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

Mr. Beebe presented a memorial from the Board of Education, of the 3d Municipality of the city of New Orleans, in relation to the apportionment of the school fund, which was referred to the Committee on Public Education.

Mr. Butler, of the Committee on Claims, to whom was referred, the memorial of Joseph Joly, praying for relief, reported

An act for the relief of Joseph Joly, curator of the estate of the late widow Joseph Savary.

Which was read for the first time.

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

Mr. Butler obtained leave to introduce, without notice,

An act to allow compensation to witnesses, in certain cases.

Which was read for the first time, and was, on motion, laid on the table.

On motion of Mr. Hereford, the Senate took up an act for the relief of Villeneuve Blanchard, ex-Sheriff of the parish of West Baton Rouge.

Which was read for the first time.

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

Mr. Layet, Clerk of the House, informed the Senate of the concurrence of the House in the amendments of the Senate to

An act concerning the Penitentiary.

He also requested the signature of the President of the Senate, to the following enrolled bill of the House:—

An act to amend an act entitled an act to establish free public schools, in the State of Louisiana.

And an act to provide for the carrying into effect the Judiciary system in this State.

And an act for the protection of the city of New Orleans against overflows.

The Clerk of the House further informed the Senate, that the Speaker of the House had signed the following enrolled bills and resolutions of the Senate:—

An act granting a pension to Vincent Lessassier, a veteran of 1814 and 1815.

An act to change the time of holding Courts, in and for the parish of Pointe Coupee.

An act to repeal an act to incorporate the Borough of Freeport, and acts amendatory thereto.

An act to restore Alexander Thompson Wood to his civil and political rights.

An act for the relief of E. T. Jones, late Sheriff of the parish of Claiborne; and Benjamin Parker, Sheriff of Bienville.

An act to extend the provisions of an act to establish the circuit system, in the 16th and 17th Judicial Districts, approved January 29th, 1847; and

Resolution directing the State Engineer to remove obstructions to the navigation of the Coushatta Chute.

The President signed these last-named bills, and resolutions, and

Mr. Gardere, of the Committee on Enrollments, submitted them to the Governor, for his approval and signature.

Mr. Cade, of the Committee on Enrollments, reported the following bills and resolutions of the Senate as correctly enrolled; and

The Assistant Secretary requested the signature of the Speaker of the House thereto, viz:—

An act for the relief of Robert E. Hammett.

An act for the relief of Francois Vienne.

An act to change the name of William Rairdon, to that of William Raildon Knowland.

Resolution in relation to deadening of timber on Red River.

An act for the relief of C. D. Tatman, of St. Landry.

An act to provide for the appointment of an additional Notary Public, for the parish of Rapides.

An act further to authorize the establishment, and better government of Houses of Refuge, by the Municipalities of the city of New Orleans.

An act for the relief of Simon Mitaud, a veteran of 1814 and 1815; and

Resolution directing the State Librarian to furnish certain books, upon the order of the Clerk of the District Court, of the parish of Claiborne.

On motion of Mr. Hawkson,

An act to change the venue in all civil suits, where the District Judge has recused himself, in the parish of West Feliciana, was taken up, read for the second time, and was adopted.

On motion, the rules were suspended, said bill underwent its third reading, and passed.

Mr. Adams, of the Committee on Finance, reported favorably on

An act to provide for the payment of the debts of the State Engineer's department, and the expenses of the service, for 1850 and 1851.

Said bill underwent its second reading, and was adopted.

On motion, the rules were suspended, it underwent its third reading, and passed.

Mr. Dufour obtained leave to introduce, without notice,

An act to regulate the admission and practice of physicians, apothecaries, and mid-wives, in the Eastern District of the State of Louisiana, which was read for the first time.

Mr. Dufour moved that the rules be suspended, and that said bill be taken up at its second reading.

This motion was lost.

Mr. Salomon, Assistant Clerk of the House, requested the concurrence of the Senate in

Resolution requiring the State Engineer to improve the navigation of Bayou Grand Caillou, and Lecarpe; and in

An act for the relief of F. R. Travis.

On motion of Mr. Chamblias, the Senate took up

An act for the relief of John Perkins; and

An act for the relief of Charles G. Brown.

Said bills underwent their second reading, and were adopted.

On motion, the rules were suspended, they were read for the third time, and passed.

On motion of Mr. Beebe, the Senate took up

An act for the relief of Charles Lovenskold, which was read for the first time.

On motion, the rules were suspended.

Said bill underwent its second and third readings, and passed.

Mr. Cade, of the Committee on Enrollments, reported the following bills and resolutions as correctly enrolled; and

The Assistant Secretary requested the signature of the Speaker of the House thereto, viz:—

An act for the relief of Robert E. Hammett.

An act for the relief of Francois Vienne.

An act to change the name of William Rairdon, to that of William Raildon Knowland.

Resolution in relation to deadening of timber on Red River.

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An act to change the venue in all civil suits, where the District Judge has recused himself, in the parish of West Feliciana, was taken up, read for the second time, and was adopted.

On motion, the rules were suspended.

Said bill underwent its third reading, and passed.

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An act to provide for the payment of the debts of the State Engineer's department, and the expenses of the service, for 1850 and 1851.

Said bill underwent its second reading, and was adopted.

On motion, the rules were suspended, it underwent its third reading, and passed.

Mr. Dufour moved that the rules be suspended, and that said bill be taken up at its second reading.

This motion was lost.

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Said bill underwent its second and third readings, and passed.

Mr. Gardere, of the Committee on Enrollments, submitted them to the Governor, for his approval and signature.

Mr. Cade, of the Committee on Enrollments, reported the following bills and resolutions as correctly enrolled; and

The Assistant Secretary requested the signature of the Speaker of the House thereto, viz:—

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Resolution in relation to deadening of timber on Red River.

An act for the relief of C. D. Tatman, of St. Landry.

An act to provide for the appointment of an additional Notary Public, for the parish of Rapides.

An act further to authorize the establishment, and better government of Houses of Refuge, by the Municipalities of the city of New Orleans.

An act for the relief of Simon Mitaud, a veteran of 1814 and 1815; and

Resolution directing the State Librarian to furnish certain books, upon the order of the Clerk of the District Court of the parish of Claiborne.

On motion of Mr. Gardere, the Senate took up

An act to establish a harbor-master for the city of Lafayette.

This bill was read for the first time.

On motion, the rules were suspended, and it was taken up at its second reading.

Mr. Gardere offered the following, as a substitute to the first section of said bill:—

SECTION 1. That a harbor-master, from that part of the port of New Orleans, comprised within the limits of the city of Lafayette, shall be elected on the first Monday next, and every two years thereafter, on the day fixed by law for the election of Municipal officers (in said city, by the electors, duly qualified to vote, for said Municipal officers), who shall be commissioned by the Governor, and shall hold his office for two years, who shall be held to discharge and performance of all the duties now done or required to be done, by the other harbor-masters of said port of New Orleans, which said duties are prescribed in the acts of the 21st March, 1805, and of the 8th March, 1841.

Mr. Ricker moved that the foregoing substitute be postponed indefinitely.

Mr. Gardere called for the yeas and nays on this motion.

Mr. Bryce in the Chair.

Mr. Ricker voted, in favor of the motion—1 yea.

Messrs. Adams, Butler, Clarke, Cole, Dauney, Dorsey, Drew, Dufour, Duncan, Gardere, Gaudet, Haralson, Hereford, Moore, Peck, Ray, Sigur, and Waddill, voted against it—18 nays.

Said motion was consequently lost; and on motion, the substitute was adopted.

On motion, the bill was adopted, as amended

On motion, the rules were suspended, said bill underwent its third reading, and passed, as amended.

On motion of Mr. Gardere, the Senate took up

An act to authorize Henry Mishoff and Catherine Mass, his wife, of the parish of Jefferson, to adopt Helena Walter, an orphan.

On motion, the rules were suspended.

Said bill underwent its second and third readings, and passed.

Mr. Cade, of the Committee on Enrollments, reported the following bills and resolutions as correctly enrolled; and

The Assistant Secretary requested the signature of the Speaker of the House thereto, viz:—

An act for the relief of Robert E. Hammett.

An act for the relief of Francois Vienne.

An act to change the name of William Rairdon, to that of William Raildon Knowland.

Resolution in relation to deadening of timber on Red River.

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An act further to authorize the establishment, and better government of Houses of Refuge, by the Municipalities of the city of New Orleans.

An act for the relief of Simon Mitaud, a veteran of 1814 and 1815; and

Resolution directing the State Librarian to furnish certain books, upon the order of the Clerk of the District Court of the parish of Claiborne.

On motion of Mr. Gardere, the Senate took up

An act for the relief of Julie Davis, f. w. c.

Which was read for the first time.

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

Mr. Beebe obtained leave to introduce, without notice,

An act supplementary to an act entitled an act relating to the Orleans Navigation Company, which was read for the first time.

Mr. Beebe moved that the rules be suspended, and that said bill be taken up at its second reading.

This motion was lost.

On motion of Mr. Drew, the Senate took up

An act in relation to the sureties of G. W. Turlington, late Sheriff of the parish of Madisonne, and of F. De Wint, late Sheriff of the parish of Plaquemines.

Which was read for the first time.

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

On motion of Mr. Waddill, the Secretary was instructed to report as soon as possible to the House, all bills upon which the Senate had taken final action.

The Assistant Secretary requested the concurrence of the House in

An act to authorize E. T. Jones, to build a turnpike and plank-road, from the West bank of Bayou Dorchest to Shreveport.

An act for the relief of O. D. Stillman.

An act defining certain powers and duties vested in the Councils of the several Municipalities of the city of New Orleans.

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Resolution directing the State Librarian to furnish certain books, upon the order of the clerk of the District Court of the parish of Claiborne.

He further requested the concurrence of the House in

An act to improve the navigation of Poston's Bayou, in the parish of Bossier.

An act to emancipate Julie Eugenie Depart, f. w. c.

An act to define the duties of Assessors.

An act to authorize J. Gibbs, J. Smith, and others, to make a turnpike road from Mount Lebanon to Minden.

An act in reference to ferries.

Resolution to procure the erection of a light-house, at the head of the South-West Pass of the Mississippi River, and one on Last Island.

And in an act to create an additional Notary Public, for the parish of Lavingston.

Mr. Ricker presented an account from Mr. H. Droz, State Librarian, for extra services rendered the State, in fitting up the State Library, which, was referred to the Committee on Claims.

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

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Resolved by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened,—That the grateful obligations and thanks of this State are due to our fellow citizen, John Perkins, jun., Esq., now in Europe, for the high public spirit and liberality evinced by him, in the donation to the State of three quarto volumes, in manuscript, compiled under his direction, and at his expense, from the official records, &c., of all the public offices of Paris, and embracing "*a summary or index of all French documents, relating to Louisiana, from the earliest ages, to the year 1803, when the transfer was made to the United States,*" and that the Secretary of State communicate to Mr. Perkins, this resolution, in reply to his letter, published in the report of the bureau of statistics.

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

Mr Cole introduced the following resolution, which was read and adopted:—

Be it resolved,—That the State Engineer be, and is hereby requested to inform the Senate, why he has not opened the communication between Lake Boeuf and Lake or Bayou Lafitte Allemands, as required by resolution No. 34, of the Legislature, approved March 6, 1848.

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

Mr. Beebe presented a memorial from the Board of Education, of the 3d Municipality of the city of New Orleans, in relation to the apportionment of the school fund, which was referred to the Committee on Public Education.

Mr. Butler, of the Committee on Claims, to whom was referred, the memorial of Joseph Joly, praying for relief, reported

An act for the relief of Joseph Joly, curator of the estate of the late widow Joseph Savary.

Which was read for the first time.

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

Mr. Butler obtained leave to introduce, without notice,

An act to allow compensation to witnesses, in certain cases.

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On motion of Mr. Hereford, the Senate took up an act for the relief of Villeneuve Blanchard, ex-Sheriff of the parish of West Baton Rouge.

Which was read for the first time.

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

Mr. Layet, Clerk of the House, informed the Senate of the concurrence of the House in the amendments of the Senate to

An act concerning the Penitentiary.

He also requested the signature of the President of the Senate, to the following enrolled bill of the House:—

An act to amend an act entitled an act to establish free public schools, in the State of Louisiana.

And an act to provide for the carrying into effect the Judiciary system in this State.

And an act for the protection of the city of New Orleans against overflows.

The Clerk of the House further informed the Senate, that the Speaker of the House had signed the following enrolled bills and resolutions of the Senate:—

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An act to change the time of holding Courts, in and for the parish of Pointe Coupee.

An act to repeal an act to incorporate the Borough of Freeport, and acts amendatory thereto.

An act to restore Alexander Thompson Wood to his civil and political rights.

An act for the relief of E. T. Jones, late Sheriff of the parish of Claiborne; and Benjamin Parker, Sheriff of Bienville.

An act to extend the provisions of an act to establish the circuit system, in the 16th and 17th Judicial Districts, approved January 29th, 1847; and

Resolution directing the State Engineer to remove obstructions to the navigation of the Coushatta Chute.

The President signed these last-named bills, and resolutions, and

Mr. Gardere, of the Committee on Enrollments, submitted them to the Governor, for his approval and signature.

Mr. Cade, of the Committee on Enrollments, reported the following bills and resolutions of the Senate as correctly enrolled; and

The Assistant Secretary requested the signature of the Speaker of the House thereto, viz:—

An act for the relief of Robert E. Hammett.

An act for the relief of Francois Vienne.

An act to change the name of William Rairdon, to that of William Raildon Knowland.

Resolution in relation to deadening of timber on Red River.

An act for the relief of C. D. Tatman, of St. Landry.

An act to provide for the appointment of an additional Notary Public, for the parish of Rapides.

An act further to authorize the establishment, and better government of Houses of Refuge, by the Municipalities of the city of New Orleans.

An act for the relief of Simon Mitaud, a veteran of 1814 and 1815; and

Resolution directing the State Librarian to furnish certain books, upon the order of the Clerk of the District Court of the parish of Claiborne.

On motion of Mr. Hawkson,

An act to change the venue in all civil suits, where the District Judge has recused himself, in the parish of West Feliciana, was taken up, read for the second time, and was adopted.

On motion, the rules were suspended.

Said bill underwent its third reading, and passed.

Mr. Adams, of the Committee on Finance, reported favorably on

An act to provide for the payment of the debts of the State Engineer's department, and the expenses of the service, for 1850 and 1851.

Said bill underwent its second reading, and was adopted.

On motion, the rules were suspended, it underwent its third reading, and passed.

Mr. Dufour moved that the rules be suspended, and that said bill be taken up at its second reading.

This motion was lost.

Mr. Salomon, Assistant Clerk of the House, requested the concurrence of the Senate in

Resolution requiring the State Engineer to improve the navigation of Bayou Grand Caillou, and Lecarpe; and in

An act for the relief of F. R. Travis.

On motion of Mr. Chamblias, the Senate took up

An act for the relief of John Perkins; and

An act for the relief of Charles G. Brown.

Said bills underwent their second reading, and were adopted.

On motion, the rules were suspended, they were read for the third time, and passed.

On motion of Mr. Beebe, the Senate took up

An act for the relief of Charles Lovenskold, which was read for the first time.

On motion, the rules were suspended.

Said bill underwent its second and third readings, and passed.

Mr. Cade, of the Committee on Enrollments, reported the following bills and resolutions as correctly enrolled; and

The Assistant Secretary requested the signature of the Speaker of the House thereto, viz:—

An act for the relief of Robert E. Hammett.

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An act for the relief of Simon Mitaud, a veteran of 1814 and 1815; and

Resolution directing the State Librarian to furnish certain books, upon the order of the Clerk of the District Court of the parish of Claiborne.

On motion of Mr. Gardere, the Senate took up

An act to establish a harbor-master for the city of Lafayette.

This bill was read for the first time.

On motion, the rules were suspended, and it was taken up at its second reading.

Mr. Gardere offered the following, as a substitute to the first section of said bill:—

SECTION 1. That a harbor-master, from that part of the port of New Orleans, comprised within the limits of the city of Lafayette, shall be elected on the first Monday next, and every two years thereafter, on the day fixed by law for the election of Municipal officers (in said city, by the electors, duly qualified to vote, for said Municipal officers), who shall be commissioned by the Governor, and shall hold his office for two years, who shall be held to discharge and performance of all the duties now done or required to be done, by the other harbor-masters of said port of New Orleans, which said duties are prescribed in the acts of the 21st March, 1805, and of the 8th March, 1841.

Mr. Ricker moved that the foregoing substitute be postponed indefinitely.

Mr. Gardere called for the yeas and nays on this motion.

Mr. Bryce in the Chair.

Mr. Ricker voted, in favor of the motion—1 yea.

Messrs. Adams, Butler, Clarke, Cole, Dauney, Dorsey, Drew, Dufour, Duncan, Gardere, Gaudet, Haralson, Hereford, Moore, Peck, Ray, Sigur, and Waddill, voted against it—18 nays.

Said motion was consequently lost; and on motion, the substitute was adopted.

On motion, the bill was adopted, as amended

On motion, the rules were suspended, said bill underwent its third reading, and passed, as amended.

On motion of Mr. Gardere, the Senate took up

An act to authorize Henry Mishoff and Catherine Mass, his wife, of the parish of Jefferson, to adopt Helena Walter, an orphan.

On motion, the rules were suspended.

Said bill underwent its second and third readings, and passed.

On motion of Mr. Dufour,

An act for the relief of A. Mitaud, and

An act for the relief of Alcibiades Derivas, f. w. c.

Said bills were read for the second time, and passed.

On motion of Mr. Dufour,

An act for the relief of Julie Davis, f. w. c., and S. E. Compton, f. m