OFFICIAL.

LOUISIANA LEGISLATURE.

Journal of the Senate.

THURSDAY, 14th February, 1850.

The Senate met agreeably to adjournment.

Present: Hon. J. B. Plauche, Lt. Governor, President of the Senate.

Messrs. Adams, Beebe, Boudousquie, Bryce, Butler, Cade, Caulfield, Chamblias, Clark, Cole, Dauney, Drew, Dufour, Duncan, Gardere, Gaudet, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Taitman, Van Wickle and Waddill.

The Assistant Secretary requested the concurrence of the House, in the following bills:

An act for the relief of François Vienne.

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

An act for the relief of Antoine Trahanne.

An act for the relief of Charles Janson and Joseph Janson, veterans of 1814-'15.

An act for the relief of C. Chaplin.

An act for the relief of Matherin Bourg, Sheriff of the parish of Lafourche Interior.

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 to amend an act entitled an act to incorporate the town of Providence.

And in: An act supplemental to an act entitled an act to change the time of holding the District Courts in the Thirteenth Judicial District, approved February 8th, 1850.

He also informed the House that the President pro tem. of the Senate, had signed the enrolled bills of the House, entitled:

An act to amend the several acts relative to the Police and Government of the town of Baton Rouge.

And an act to pay Isaac T. Preston.

Mr. Bryce presented two petitions, one from John F. Taylor, and the other from John F. and Nancy Taylor, of the parish of Rapides, praying that compensation be allowed them for services rendered as teachers of indigent children.

On motion, said petitions were referred to the Committee on Public Education.

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

Resolved, That with the view of dispatching the large and increasing amount of business in the hands of the translating clerks:

The President of the Senate be and he is hereby authorized to appoint an additional translating clerk, from English into French.

The President appointed Mr. Paul Boutel, as additional translator from English into French, and swore him in as such.

On his own motion, Mr. Dufour was discharged from any further service on the Committee appointed to visit the Insane Asylum at Jackson, and the President appointed Mr. Moore, on said committee in his place.

Mr. Butler, of the Committee on Claims, reported favorably to

An act for the relief of Jerome Caligarri, Superintendent of Public Schools, for the parish of Avoyelles.

This bill underwent its second reading, and was adopted.

On motion, the rules were suspended, said bill was read for the third time and passed.

On the part of the same Committee, to whom was referred—

An act for the relief of Jean Baptist Dupont, and Isidore Magany Honore, veterans of 1814-'15.

Mr. Butler reported said bill with amendment, and favorably thereto.

Mr. Van Wickle, of the Committee on Internal Improvements, reported favorably to the Resolution instructing the State Engineer to remove obstructions from Bayou L'Embarras, in the parish of St. Martin.

Said resolution underwent its second reading, and was adopted.

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

On the part of the same Committee, to whom was referred the: Resolution empowering the State Engineer to perform the various works of Internal Improvements in such order of time as he may think best for the general welfare.

Mr. Van Wickle reported a substitute to said resolution, which was made the special order of the day for Wednesday, the next inst., and was also ordered to be printed.

Mr. Barbe presented a memorial from sundry inhabitants of the parish of Natchitoches, praying for the emancipation of the mulatto slave woman Henriette, in accordance to the last will of her late owner, Mrs. Rachel.

On motion, this memorial was referred to the Committee on Parochial Affairs.

Mr. Van Wickle introduced the following resolution, which was read and adopted:

Resolved by the Senate, that the Committee on Finance be instructed to take into consideration an issue concerning conventional interest, and to report by Bill or otherwise, whether or not a limit should be considered as all other property, and not be subject to protection by usury laws except so far as legal interest is now recognized by law.

On motion of Mr. Dufour, the Senate took up

An act for the relief of Simon Mitaud, a veteran of 1814-'15, which was read for the 2nd time and was adopted.

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

On motion, the rules were suspended, said bill underwent its 3d reading and passed.

Mr. Beebe, of the Committee on Commerce, Agriculture and Manufacture, to whom was referred

An act to provide for the protection of persons and property against explosions of boilers on board of steam vessels plying in the waters of the State of Louisiana, by competent Engineers, and to punish their negligence, made the following report:

The Committee to which the within bill was referred, report *unanimously* in favor of the same, with amendments.

The final reading of this bill was commenced, and Mr. Cole introduced a proviso to the 1st section thereof.

Pending the debate on which, on motion of Mr. Drew, the further consideration of the bill was laid over subject to call.

The President submitted the following communication, which was read:

TREASURY DEPARTMENT,
Baton Rouge, Feb 14th, 1850.

To the President of the Senate—

SIR

Will you have the kindness to communicate to the members of the Senate that I have, by circumstances beyond my control, been forced to refuse the settlement of any warrants upon this Department, until Monday, the 18th inst. I have determined for my own security, and the security of those who are my Bondsmen to open an entire new set of Books in this Department, and further more, the funds on hands are in notes of the value of $500 and $1000, so as to render it totally out of my power to pay warrants until such time as I shall be able to change those notes into smaller bills. This will compel me to visit the City of New Orleans which will be effected on Monday, the 18 inst., when I shall enter at once upon the discharge of my duties, and will pay all warrants of the Department on that day if presented.

This will cause but temporary inconvenience to the members, and I hope, will meet with their approval.

Very respectfully,
Your obd't. servant,
GEO. C. McWHORTER,
Treasurer.

Mr. Layet, Clerk of the House, requested the concurrence of the Senate in a Resolution granting leave of absence for a few days, to the State Treasurer.

He also requested the signature of the President of the Senate, to the following enrolled bills and resolutions of the House:

An act to exemptize officers and members of the Lafayette Riflemen, a volunteer Company of the City of Lafayette, from jury duty.

An act to defray the expenses of the inauguration of the Governor and Lieutenant Governor.

Resolution instructing the Secretary of State to deliver to the Law Department of the University of Louisiana, one set of such law Books, duplicates of which may be in the State Library.

Resolution ordering the State Engineer to make an examination of Mud Pass in the parish of Cameron.

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

On motion of Mr. Layet, the rules were suspended, and the Senate took up the Resolution granting leave of absence to the State Treasurer.

This resolution was read for the first time.

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

The rules having been again suspended, the Assistant Secretary informed the House of the concurrence of the Senate in said resolution.

The Assistant Secretary further requested the concurrence of the House in the resolutions amending the Constitution.

Mr. Layet, Clerk of the House, requested the signature of the President of the Senate to the enrolled resolution granting leave of absence to the Treasurer.

Mr. Cade, of the Committee on Enrollments, reported said resolution as correctly enrolled, the President signed the same, and the Assistant Secretary informed the House thereof.

Mr. Lorenzo, the Governor's private Secretary, informed the Senate that the Governor had approved and signed An act to create an additional Justice of the Peace in and for the Parish of Washington.

He also delivered a message in writing from the Governor.

SPECIAL ORDER OF THE DAY.

Second Reading.

The Senate took up at their second reading, the substitutes reported by the Committee on Federal Relations to the resolutions on the subject of slavery.

Mr. Duncan moved, that before proceeding to act on these resolutions, that so much of Gen. Washington's Farewell Address, as relates to the union of the States, be read.

Mr. Sigur moved, as a substitute to Mr. Duncan's motion, that the members of the Senate be requested to read this address, to-night, before going to bed.

Mr Butler moved that Mr. Duncan's motion, and the substitute thereto, be laid on the table.

Mr. Duncan called for the yeas and nays on the motion.

Mr. Plauche in the Chair:

Messrs. Bryce, Butler, Caulfield, Dauney, Drew, Haralson, Hereford, Ray, Richardson, Ricker, Sigur, Swayze, Taitman and Waddill, voted in favor of the motion—14 yeas.

And Messrs Adams, Beebe, Boudousquie, Cade, Chamblias, Clark, Cole, Dufour, Duncan, Gardere, Gaudet, Moore, Peck, Phillips and Van Wickle, voted against it—15 nays.

Mr. Butler's motion was consequently lost.

Mr. Sigur withdrew his substitute to Mr. Duncan's motion.

Mr. Duncan's motion then prevailed, and the Address was read.

The following, which is the first resolution reported by the Committee, was read:

Be it Resolved by the Senate and House of Representatives in General Assembly convened, That the Senate and House of Representatives of the United States be one of limited and delegated powers only, all others being reserved to the States respectively or the people thereof.

On the adoption of this resolution:

Mr. [illegible] Beebe, Boudousquie, Bryce, Butler, Chamblias, Caulfield, Clark, Cole,

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Dauney, Drew, Dufour, Duncan, Gardere, Gaudet, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Taitman, Van Wickle and Waddill, voted in the affirmative—29 yeas.

No nays.

Said first resolution was consequently adopted.

The following, the second resolution was read:

Resolved, That all territory acquired by the Government, is the common property of all the States.

Mr. Plauche presiding.

On the motion to adopt the foregoing resolution:

Messrs. Adams, Beebe, Boudousquie, Bryce, Butler, Cade, Caulfield, Chamblias, Clark, Cole, Dauney, Drew, Dufour, Duncan, Gardere, Gaudet, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Taitman, Van Wickle and Waddill, voted in the affirmative—29 yeas.

No nays.

Said resolution was consequently adopted.

The following, which is the third resolution, was read:

Resolved, That Louisiana cherishes a warm and devoted attachment to the American Union, and would deprecate its dissolution as a national calamity; but if, in violation of the Constitution of the United States, and in disregard of the spirit of concession and compromise in which it was framed, Congress should impede its legislation, provision, inhibiting slavery in the Territories, or would abolish it in the District of Columbia, or restrict its intercourse between the States, she would resist it to the last extremity.

Mr. Duncan moved to amend the foregoing resolution, by striking out, after the words "*to resist it to the last extremity*," the words "*would resist it*," and inserting in their lieu the words, "*is prepared to assert and maintain her rights*."

Mr. Sigur moved that this amendment be laid on the table.

Mr. Boudousquie called for the yeas and nays on the motion.

Mr. Plauche presiding—Messrs Bryce, Butler, Cade, Caulfield, Chamblias, Cole, Dauney, Drew, Haralson, Hereford, Peck, Phillips, Richardson, Ricker, Sigur, Swayze, Van Wickle and Waddill, voted in favor of Mr. Sigur's motion—18 yeas.

And Messrs. Adams, Beebe, Boudousquie, Clark, Dufour, Duncan Gardere, Gaudet, Moore, Ray and Taitman, voted against it—11 nays.

Mr. Sigur's motion consequently prevailed, and the amendment was laid on the table.

Mr. Dufour moved to amend said third resolution, by striking out the words, "*she would resist it to the last extremity*," and inserting in their stead the words, "*the people of Louisiana will promptly and cordially join the people of all other States willing to resist any such attempt, to the last extremity*."

Mr. Swayze moved to lay this amendment on the table, and called for the yeas and nays on the motion.

Messrs. Beebe, Bryce, Butler, Cade, Caulfield, Chamblias, Clark, Cole, Dauney, Drew, Gardere, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Van Wickle and Waddill, voted in the affirmative—29 yeas.

No nays.

Said resolution was consequently adopted.

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Mr. Duncan moved to amend the foregoing resolution, by striking out, after the words "*to resist it to the last extremity*," the words "*would resist it*," and inserting in their lieu the words, "*is prepared to assert and maintain her rights*."

Mr. Sigur moved that this amendment be laid on the table.

Mr. Boudousquie called for the yeas and nays on the motion.

Mr. Plauche presiding—Messrs Bryce, Butler, Cade, Caulfield, Chamblias, Cole, Dauney, Drew, Haralson, Hereford, Peck, Phillips, Richardson, Ricker, Sigur, Swayze, Van Wickle and Waddill, voted in favor of the motion—18 yeas.

And Messrs. Adams, Beebe, Boudousquie, Clark, Dufour, Duncan Gardere, Gaudet, Moore, Ray and Taitman, voted against it—11 nays.

Mr. Sigur's motion consequently prevailed, and the amendment was laid on the table.

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Mr. Swayze moved to lay this amendment on the table, and called for the yeas and nays on the motion.

Messrs. Beebe, Bryce, Butler, Cade, Caulfield, Chamblias, Clark, Cole, Dauney, Drew, Gardere, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Van Wickle and Waddill, voted in the affirmative—29 yeas.

No nays.

Said resolution was consequently adopted.

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Mr. Duncan moved to amend the foregoing resolution, by striking out, after the words "*to resist it to the last extremity*," the words "*would resist it*," and inserting in their lieu the words, "*is prepared to assert and maintain her rights*."

Mr. Sigur moved that this amendment be laid on the table.

Mr. Boudousquie called for the yeas and nays on the motion.

Mr. Plauche presiding—Messrs Bryce, Butler, Cade, Caulfield, Chamblias, Cole, Dauney, Drew, Haralson, Hereford, Peck, Phillips, Richardson, Ricker, Sigur, Swayze, Van Wickle and Waddill, voted in favor of the motion—18 yeas.

And Messrs. Adams, Beebe, Boudousquie, Clark, Dufour, Duncan Gardere, Gaudet, Moore, Ray and Taitman, voted against it—11 nays.

Mr. Sigur's motion consequently prevailed, and the amendment was laid on the table.

Mr. Dufour moved to amend said third resolution, by striking out the words, "*she would resist it to the last extremity*," and inserting in their stead the words, "*the people of Louisiana will promptly and cordially join the people of all other States willing to resist any such attempt, to the last extremity*."

Mr. Swayze moved to lay this amendment on the table, and called for the yeas and nays on the motion.

Messrs. Beebe, Bryce, Butler, Cade, Caulfield, Chamblias, Clark, Cole, Dauney, Drew, Gardere, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Van Wickle and Waddill, voted in the affirmative—29 yeas.

No nays.

Said resolution was consequently adopted.

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

The Assistant Secretary further requested the concurrence of the House in the resolutions amending the Constitution.

Mr Layet, Clerk of the House, requested the signature of the President of the Senate to the enrolled resolution granting leave of absence to the Treasurer.

Mr. Cade, of the Committee on Enrollments, reported said resolution as correctly enrolled, the President signed the same, and the Assistant Secretary informed the House thereof.

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Mr. Sigur moved, as a substitute to Mr. Duncan's motion, that the members of the Senate be requested to read this address, to-night, before going to bed.

Mr Butler moved that Mr. Duncan's motion, and the substitute thereto, be laid on the table.

Mr. Duncan called for the yeas and nays on the motion.

Mr. Plauche in the Chair:

Messrs. Bryce, Butler, Caulfield, Dauney, Drew, Haralson, Hereford, Ray, Richardson, Ricker, Sigur, Swayze, Taitman and Waddill, voted in favor of the motion—14 yeas.

And Messrs Adams, Beebe, Boudousquie, Cade, Chamblias, Clark, Cole, Dufour, Duncan, Gardere, Gaudet, Moore, Peck, Phillips and Van Wickle, voted against it—15 nays.

Mr. Butler's motion was consequently lost.

Mr. Sigur withdrew his substitute to Mr. Duncan's motion.

Mr. Duncan's motion then prevailed, and the Address was read.

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On the adoption of this resolution:

Mr. [illegible] Beebe, Boudousquie, Bryce, Butler, Chamblias, Caulfield, Clark, Cole,

OFFICIAL.

[illegible] Dufour, Duncan, Gardere, Gaudet, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Taitman, Van Wickle and Waddill, voted in the affirmative—29 yeas.

No nays.

Said first resolution was consequently adopted.

The following, the second resolution was read:

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Mr. Plauche presiding.

On the motion to adopt the foregoing resolution:

Messrs. Adams, Beebe, Boudousquie, Bryce, Butler, Cade, Caulfield, Chamblias, Clark, Cole, Dauney, Drew, Dufour, Duncan, Gardere, Gaudet, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Taitman, Van Wickle and Waddill, voted in the affirmative—29 yeas.

No nays.

Said resolution was consequently adopted.

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Mr. Duncan moved to amend the foregoing resolution, by striking out, after the words "*to resist it to the last extremity*," the words "*would resist it*," and inserting in their lieu the words, "*is prepared to assert and maintain her rights*."

Mr. Sigur moved that this amendment be laid on the table.

Mr. Boudousquie called for the yeas and nays on the motion.

Mr. Plauche presiding—Messrs Bryce, Butler, Cade, Caulfield, Chamblias, Cole, Dauney, Drew, Haralson, Hereford, Peck, Phillips, Richardson, Ricker, Sigur, Swayze, Van Wickle and Waddill, voted in favor of the motion—18 yeas.

And Messrs. Adams, Beebe, Boudousquie, Clark, Dufour, Duncan Gardere, Gaudet, Moore, Ray and Taitman, voted against it—11 nays.

Mr. Sigur's motion consequently prevailed, and the amendment was laid on the table.

Mr. Dufour moved to amend said third resolution, by striking out the words, "*she would resist it to the last extremity*," and inserting in their stead the words, "*the people of Louisiana will promptly and cordially join the people of all other States willing to resist any such attempt, to the last extremity*."

Mr. Swayze moved to lay this amendment on the table, and called for the yeas and nays on the motion.

Messrs. Beebe, Bryce, Butler, Cade, Caulfield, Chamblias, Clark, Cole, Dauney, Drew, Gardere, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Van Wickle and Waddill, voted in the affirmative—29 yeas.

No nays.

Said resolution was consequently adopted.

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

The Assistant Secretary further requested the concurrence of the House in the resolutions amending the Constitution.

Mr.