OFFICIAL.

LOUISIANA LEGISLATURE.

Journal of the House of Representatives.

WEDNESDAY, Feb. 13, 1850.

The House met pursuant to adjournment. On the roll being called, a quorum was present and answered to their names.

The following gentlemen introduced the following petitions, which were read and referred to their appropriate Committees:

Mr. Wilder—Memorial of Thomas C. Poole, Clerk of the Second District Court, New Orleans, praying for relief.

Mr. Redunge—Petition of a number of the citizens of the Parishes of Franklin and Tensas, praying that a portion of the Parishes of Tensas and Madison be annexed to the Parish of Franklin.

The following gentlemen introduced the following resolutions:

Mr. Lewis—Resolution granting the use of the Lower Rotunda to the Washington Guards for a Ball on the 23d February.

On motion, the same was adopted.

The Clerk was directed to ask the concurrence of the Senate therein.

Mr. Cornbelly—*Resolved*, That the Committee on Public Education be, and they are hereby instructed to examine into the propriety of granting compensation to Parish Superintendents for selling school lands, and report by bill or otherwise.

On motion, the same was adopted.

The Speaker appointed Mr. Haynes in place of Mr. Lewis on the special Committee on the Insane Asylum, and also added to the same Committee, Mr. Walker, of Vermilion.

Mr. Tete on behalf of the Committee on Parochial Affairs, to whom was referred the following bills, reported the same back to the House without amendments:

An act to confirm the location of the Parish seat of the Parish of Jackson.

An act to repeal a part of section seven of an act entitled An act relative to Roads and Levees in the Parishes of Assumption and Lafourche Interior, approved March 6, 1841.

An act prescribing the mode of making judicial advertisements, and of publishing the proceedings of the Police Jury in and for the Parish of Vermilion.

The same gentleman on behalf of the same Committee to whom was referred the memorial of A. Richard, of the Parish of Lafayette, report unfavorably on the same.

Mr. King on behalf of the Judiciary Committee, to whom was referred the following bills, reported the same back to the House without amendments:

An act changing the time of holding the District Court in and for the Parish of Caddo.

An act allowing compensation to jurors in the 4th Judicial District.

An act to fix the return day for appeals to the Supreme Court, for the Florida parishes.

The same gentleman on behalf of the same Committee, to whom was referred the bill entitled

An act to legalize the acts passed by the Notaries of the State of Louisiana, or which may hereafter be passed by the said Notaries holding Commissions under the authority of this State, reported by substitute, under the following title:

An act declaring valid certain notarial acts which have been heretofore, or may be hereafter executed in this State.

Mr. Connelly on behalf of the Committee on Internal Improvements, to whom was referred the following entitled bill:

An act to improve the Bayou Vermilion.

Reported the same back to the House without amendment.

Mr. Starke on behalf of the Committee on Amendments to the Constitution, submitted the following preamble and bill, entitled:

An act to take the sense of the people on the expediency of calling a Convention to amend the Constitution.

On motion, the same was referred to a Committee of the Whole, made the special order of the day for Tuesday next, and 200 copies ordered to be printed.

Mr. White on behalf of the Committee on Federal Relations, to whom was referred sundry resolutions touching the slavery question, made the following report:

The Committee of Conference of the Committee on Federal Relations of the Senate and House of Representatives of the General Assembly of the State of Louisiana, to whom were referred sundry resolutions touching the question of slavery, and the great Southern Convention which is proposed to convene at Nashville, in the State of Tennessee, in the month of June of the present year, respectfully report that they have conferred together, and a majority of said Committee, a majority of the Committee of the House dissenting, adopted the preamble and resolutions marked A, which accompany this report.

The Committee of the House of Representatives not acquiescing in the preamble and resolutions adopted by the Committee of the two Houses have drafted, and submit to the favorable consideration of the House, the following resolutions marked B, and beg that they be referred to a Committee of the Whole, and be made the special order of the day for Wednesday next, 20th inst.

[Signed] JOHN C. WHITE, Chairman.

[A]

Resolved, That while the State of Louisiana entertains an enduring attachment to the Union, one is ready to make every concession consistent with honor, to preserve it in its integrity, she is yet tenacious of certain constitutional rights, which if assailed by the National Congress under any pretext, she will feel it her duty to defend at every sacrifice.

Resolved, That while the State is impressed with these considerations, she is moreover with deep concern, the agitation of the subject of slavery by Congress, under the convictions that it tends to inflame sectional feelings of the most dangerous and alarming character.

Resolved, That it is a fundamental principle in our political creed, that a people in forming a Constitution, have the unconditional right to form and adopt the government which they may think best calculated to secure their liberty, prosperity and happiness, and in conformity thereto, no other condition is imposed by the Federal Constitution on a State, in order to be admitted into the Union, except that its Constitution shall be "Republican," and that the imposition of any other by Congress must not only be in violation of the Constitution, but in direct conflict with the principle on which our political system rests.

Resolved, That apart from any constitutional objections, the abolition of slavery by Congress in the District of Columbia, without the consent of Maryland, would be in violation of the rights of that State, with which the other slaveholding States would make common cause.

Resolved, That the passage by Congress of any law impeding the recovery of fugitive slaves, or preventing their free transportation from one State to another, in which slavery is recognized, whether under the pretext of regulating commerce or otherwise, or the passage of any law interfering with the institution of slavery in the States where it exists, would be regarded by the State as a palpable violation of the Convention, to which, under no circumstances, would she submit; and that in the event of the passage of any law by Congress of the nature contemplated by this resolution, it will become the right and duty of the State, assuming all her attributes of sovereignty, to maintain her independence against all assailants and at every hazard.

Resolved, That while Louisiana entertains a profound respect for the opinions of her sister States, she does not concur with them in the necessity and propriety of a Southern Convention, as in the event of any encroachment upon her rights by the General Government, her attitude will be regulated by these resolutions.

[B]

Whereas, the good people of Louisiana, since her admission into the Union, have ever entertained the most profound respect for their brethren of the other States, the most sincere anxiety for perpetuating the Union of all, and the most scrupulous loyalty to that Constitution which is the pledge of mutual friendship and the instrument of mutual happiness: This Assembly doth explicitly and peremptorily declare that it views the powers of the Federal Government as limited by the plain sense and intention of the instrument constituting that compact, and that the good people of Louisiana will maintain and defend the Constitution against every aggression, foreign or domestic, and that they, in common with their brethren of the Southern States, contemplate, with sincere regret, the threatened, palpable and alarming infractions of the Constitution by the proposed enactment of the Wilmot Proviso, and the abolition of slavery in the District of Columbia, and that these and successive acts of the same character, unless arrested at the threshold, may tend to drive these States into open resistance, and may furnish new calumnies against Republican Governments: Therefore—

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

Resolved, That all Territory acquired by the confederacy, is the common property of all the States.

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 engraft in its legislation any provision inhibiting slavery in the Territories, and should abolish it in the District of Columbia, or restrict its intercourse between the States, she would resist it to the last extremity.

Resolved, That all the States of the Union entertaining these opinions, be invited to send delegates to the Convention proposed to be holden in Nashville in June next.

Resolved, That the Governor of the State, by and with the advice and consent of the Senate, do appoint one delegate from each Senatorial District to attend said Convention to carry out the spirit of these resolutions.

Resolved, That in the event of the enactment of the Wilmot Proviso by Congress, the abolition of slavery in the District of Columbia, or a restriction of it between the States, it shall be, and it is hereby made the duty of the Governor to convene the Legislature of the State for the purpose of determining what action shall be taken in the contemplated emergency.

Resolved, That the Governor is hereby authorized and requested to transmit a copy of these resolutions to our Senators and Representatives in Congress and to the Governors of the several States of the Union.

On motion, the same was made the order of the day for Wednesday, the 20th, and ordered to be printed.

Mr. Labille, on behalf of the Committee of Enrollments, reported the following bills as duly enrolled:

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

An act to create an additional Justice of the Peace in the parish of Washington.

The Speaker having signed the same, the Clerk was directed to request the signature of the President of the Senate thereto.

The following gentlemen, severally to present bills, on behalf of the following bills:

On motion, the rules were dispensed with

OFFICIAL.

they were read a second time by their titles and referred to the appropriate Committees.

Mr. Scarborough—An act to change the name of J. D. Smith.

An act to incorporate Charles Deverg.

Mr. Wakefield—An act to restore certain persons to the civil and political rights.

Mr. White—An act authorizing Justices of the Peace of the parish of Lafourche Interior to act as Coroner in certain cases.

Mr. Perkins—An act for the relief of David Meyers, a veteran of 1814–'15.

An act to provide for the appointment of an additional Notary Public in the parish of Calcasieu.

Mr. Jackson—An act to allow Police Jurors in the parish of Rapides mileage.

Mr. Paxton—An act to improve the navigation of Bayou Dorcheat.

The following gentlemen gave notice that on some future day, they would introduce the following bills:

Mr. Auch—An act to amend the act entitled an Act to extend the limits of the parish of Orleans.

Mr. McMichael—An act to annex Maurepas Island, a portion of Ascension parish, to the parish of Livingston.

Mr. McCranie—An act making a general stray law.

Mr. Ragan—Resolutions requesting the Louisiana delegation in Congress, to use their best efforts to obtain the removal of the Surveyor Generals office from Donaldsonville to the town of Baton Rouge, Louisiana.

Mr. Marks—An act to incorporate the Town of Bayou Sara.

On motion, the same was referred to a special Committee of three.

The Speaker appointed on said Committee, Messrs. Marks, King and Moise.

Mr. Deverges—An act amending the 15th section of an act entitled an Act to amend the act entitled an Act to incorporate the city of New Orleans, approved February 27th, 1805, and other acts amending the same, approved on the 8th March, 1836, and 15th section, and this act providing for and having for sole object the punctual payments of the debts of the old Corporation of New Orleans.

On motion, the same was referred to the special Committee on the Sinking Fund of New Orleans.

ORDER OF THE DAY.

The House then took up the bill entitled

An act to authorize the liquidation of the affairs of the Mechanics and Traders Bank.

Pending the discussion on the above bill—

On motion, the House adjourned till 10 o'clock, to-morrow.

THURSDAY, Feb. 14, 1850.

The House met pursuant to adjournment. On the roll being called, a quorum was present, and answered to their names.

Leave of absence was granted to Messrs. Pugh, Olivier, Horton and Gardiner.

The Speaker laid before the House a communication from the Treasurer.

He also laid before the House, a communication from Mr. J. A. Jones, of Georgia, accompanied with a bill entitled:

An act supplementary to the Tax Laws of this State, and to regulate Lawyers.

On motion, the same was laid on the table.

Mr. Richardson presented a petition from Francis Pentier, praying for relief.

On motion, the same was referred to the Committee on Claims.

The following gentlemen introduced the following resolutions:

Be it Resolved, &c., That the State Engineer be directed as early as practicable, to repair with the State Boat of the 3d District to the River Sabine, and remove all the obstructions from the mouth of said stream to Logansport, in the parish of De Soto.

On motion, the same was referred to the Committee on Internal Improvements.

Mr. Scarborough—*Resolved*, That the Committee on the Judiciary, be required to report a Bill for the purpose of bringing the Elections of Sheriffs, Clerks, Coroners, Justices of the Peace and Constables on, at a different period from that of the Governor, Lieutenant Governor, Members of Congress, State Senators and Members of the Legislature.

On motion, the same was adopted.

Mr. Ragan—*Be it Resolved, &c.*, That our Senators and Representatives in Congress, be, and they are hereby requested to use their best efforts to obtain the removal of the office of Surveyor General of Louisiana, from the town of Donaldsonville to the town of Baton Rouge, Louisiana.

Resolved, &c., That the Governor of Louisiana be requested to transmit a copy of these resolutions to each of our Senators and Representatives in Congress.

On motion, the same was referred to the Committee on Federal Relations.

Mr. *Sever—Resolved by the House of Representatives of the State of Louisiana*, That the Attorney General be respectfully requested to inform this House, what number and amount of bonds, taken in the First District Court of New Orleans, in criminal cases, in behalf of the State, have been forfeited during the existence of said Court, and how many of said Bonds have been prosecuted for collection, and what number and amount of such forfeited Bonds have been collected during the time aforesaid. And if any such Bonds have been forfeited and not prosecuted, and if prosecuted and not collected, that in all such cases, he inform this House of the reasons why such forfeited Bonds have not been prosecuted, and if prosecuted, why they have not been collected—and if any defects exist in the Law relative to the prosecution and collection of such Bonds to embarrass delay or prevent their prosecution and collection, that he point out and specify to this House such defects, in order that the General Assembly may provide at its present session, the proper remedy, and thereby ensure the prompt prosecution and collection of all such forfeited Bonds—and that he give the respective dates of said Bonds now on file in said Court, with the names and residences of the respective sureties on said Bonds, and any other information he may deem important to this House, touching the premises.

On motion, the same was referred to the Committee on Judiciary.

Mr. Gauder—*Be it Resolved, &c.*, That the State Engineer be requested to inform this House whether he has complied with the provisions of act 209, adopted May 8, 1848, entitled, An act to lay and open a road from the Mississippi river to the Vachine settlement and Thibodaux.

On motion, the same was adopted.

By a message from the Senate, through their assistant Secretary, Mr. St. C. Davis, the concurrence of the House was requested in the following bill:

An act for the relief of Francois Vienne.

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

An act for the relief of Antoine Toulouse.

An act for the relief of Charles Janson, veteran of 1814 and '15.

An act for the relief of C. Chaplin.

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

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

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

An act supplemental to an act entitled an act to change the time of holding the District Courts in the 13th Judicial District, approved Feb. 8, 1850.

Resolutions amending the Constitution.

By the same message the House was informed that the President of the Senate had signed the following entitled bills:

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

An act to pay Isaac T. Preston.

Mr. Bouny, on behalf of the Committe of Enrollment, reported the following bills and resolutions as duly enrolled:

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

An act to authorize constables in the parish of Jefferson to appoint deputies.

An act to exempt the officers and members of the Lafayette Reflemen, a volunteer company of the city of Lafayette, from jury duty.

Joint 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 Calcasieu.

The Speaker having signed the same, the clerk was directed to request the signature of the President of the Senate thereto.

Mr. Haynes, on behalf of the Committee on Claims, to whom was referred the following entitled bills, reported the same back to the House without amendment:

An act for the relief of Oliver P. Carr.

An act for the relief of the legal representatives of Thomas C. Laurence, deceased.

The same gentleman, on behalf of the same committee, to whom was referred the following petitions and bills, reported unfavorably on the same:

Petition of G. Thompson, praying for relief, and,

An act for the relief of Adolphus A. Moulton.

The same gentleman, on behalf of the same committee, to whom was referred the petition of H. Gautier, asking for a pension, reported by a bill under the following title:

An act for the relief of Hypolite Gautier, a veteran of '14 and '15.

The same member, on behalf of same committee, to whom was referred the petition of John Lane, reported by bill under the following title:

An act to pay John Lane.

Mr. Connolly, on behalf of the Committee on Internal Improvements, to whom was referred the following resolutions, reported the same back to the House without amendments:

Resolution inviting our Senators in Congress to procure the necessary orders to the United States Engineer Department in New Orleans directing said department to furnish to the Secretary of State of Louisiana certain copies of Maps.

Resolution directing the State Engineer to stop up the head of bayou Nicolas.

The same member, on behalf of the same committee, to whom was referred so much of the Engineer's report as refers to the public road between Morganza, on the Mississippi river, and Opelousas, reported that they recommended the postponing of the work.

The same member, on behalf of the same committee, to whom was referred the bill entitled, An act making an appropriation to construct a road across the drift-wood in Catahoula parish, reported by substitute under the following title:

An act making an appropriation to construct a road across the drift-wood in Catahoula parish.

Mr. Lamsden, on behalf of the Committee on Militia, to whom was referred the following bills, reported them back to the House without amendment:

An act for the relief of Larkin Story.

An act for the relief of John Gordon.

An act for the relief of Paul Bridin, of the parish of St. Helena, veteran of 1814–'15.

An act for the relief of Jeremiah D. Crittenden.

An act for the relief of Samuel Betton.

An act for the relief of David Myers, a veteran of 1814–'15.

And on the petition of Lewis Hasner, reported

OFFICIAL.

ed by bill under the following title:

An act for the relief of Lewis Hasner, a veteran of [illegible]

Mr. [illegible] on behalf of the Committee on Parochial Affairs, to whom was referred the following bills, reported them back:

An act to fix and establish the boundaries between the parishes of Lafourche Interior and Terrebonne.

Reported the same back to the House without amendment.

Mr. Flemming, on behalf the Committee on Propositions and Grievances, to whom was referred the following entitled bills, reported unfavorably on the same, viz:

An act for the relief of Patrick Keating.

An act to exempt editors of newspapers, published in the State of Louisiana, from serving on juries.

The same gentleman, on behalf the same Committee, to whom was referred the bill entitled,

An act for the relief of Merrick Moulton.

Asked that the same be referred to the Committee on Judiciary.

On motion said report was adopted.

Mr. Moise introduced the following joint resolution, which was, on motion, adopted:

Be it Resolved, &c., That leave of absence be and is hereby granted to the Treasurer of this State until Monday, Feb. 18, 1850.

The Clerk was directed to ask the concurrence of the Senate therein.

Mr. Winfree, on behalf of the Committee to whom was referred the report of Robert J. Ker, Register of the Land Office, recommended the printing of 1000 copies of the documents accompanying the same, together with the report of the Register of the Land Office, and report of the Committee on Public Lands.

On motion, said report was adopted.

Mr. Marks, on behalf of the Special Committee to whom was referred the following bill entitled,

An act to incorporate the town of Bayou Sara,

Reported the same back to the House without amendments.

Mr. Moise, on behalf of the Special Committee, to whom was referred the report of the Commissioners in relation to the protection of the city of New Orleans from overflow, &c.

Reported by bill under the following title:

An act to protect the cities of New Orleans, Lafayette and Freeport.

On motion, said bill was ordered to be printed and made the special order of the day for Thursday 21st February.

On motion of Mr. Preston, the bill entitled,

An act to protect the portions of the parishes of Orleans and Jefferson, therein mentioned, from inundation and to provide for the draining thereof,

Was made the order of the day for Feb. 15.

On motion of Mr. Elam, the bill entitled,

An act to provide for the exemption of certain persons from road duty,

Was made the order of the day for Friday, Feb. 15.

The following gentlemen, agreeably to previous notice, introduced the following bills:

On motion, the rules being dispensed with, they were read a second time by their titles, and referred to the appropriate Committees:

Mr. McMichael—An act to attach Maurepas Island, a portion of Ascension parish, to the parish of Livingston.

Mr. Livingston—An act to make provisions for the opening of Bayou Bartholemew.

Mr. White—An act relative to the advertisement of Sheriffs sales.

Mr. *Gurley*—An act to establish additional election precincts in the parish of Jefferson.

An act to provide for the possession of parish offices during a contested election.

Mr. Abney—An act to amend an act in relation to mortgage slaves.

Mr. Bettis—An act for the relief of Samuel Anderson, late Sheriff of the parish of Madison.

Mr. Morrow—An act to incorporate the town of Minden.

On motion the same was referred to a Special Committee of three.

The Speaker appointed on said Committee, Messrs. Morrow, Abney and Paxton.

Mr. Auch—An act to amend the act entitled an act to extend the limits of the parish of Orleans.

On motion, the same was referred to a Special Committee of six.

The Speaker appointed on said Committee, Messrs. Auch, Stanton, Caldwell, Jamison, Monaghan and Parker.

The following gentlemen gave notice that at some future day they would introduce the following bills:

Mr. Auch—An act to provide for the compensation of Jurors serving in criminal cases in the parish of Jefferson.

Mr. Jackson—An act for the relief of Nicholas Gratin of the parish of Rapides, a veteran of 1814–'15.

Mr. Watson—An act to amend an act to allow Sheriffs and Clerks a special compensation in criminal matters, approved 20th December, 1848.

Mr. Lyville on behalf of the Committee of Enrollment reported that he had this day supplied the Governor for his approval and signature the following enrolled bills,

An act to pay Isaac T. Preston.

An act to amend the several acts relative to the police and government of the town of Baton Rouge.

By a message from the Governor, through his Private Secretary, Mr. Ledoux, the House was informed that he had approved and signed the bill entitled,

An act to pay Isaac T. Preston.

The Speaker laid before the House a communication from the Governor transmitting the proclamation of the Governor for his approval or disapproval in relation to the slave question.

On motion, the same was referred to the Committee on Federal Relations.

By a message from the Senate through their Assistant Secretary, Mr. St. C. Davis, the House was informed of the concurrence of the Senate to the

Resolutions granting leave of absence to the Treasurer of the State.

UNFINISHED BUSINESS.

The House took up the bill entitled an act to authorize the liquidation of the affairs of the Mechanics' and Traders' Bank, which was under consideration when the House adjourned yesterday.

The first section being read, Mr. Larue moved to strike out all after the enacting clause.

On the question for the adoption of said motion, Messrs. Larue and Bowey called for the ayes and noes, which resulted as follows:

Messrs. Abney, Bettis, Bosley, Bailey, Babin, Claiborne, Caldwell, Connelly, Elam, Fleming, Favrot, Gaudette, Gosselin, Gill, Haynes, Hunt, Jackson, Jamison, Lewis, Morrow, McCranie, McMichael, Marks, Paxton, Preston, Page, Parker, Ramage, Richardson, Scarborough, Shannon, Saunders, Tete, Winfree, Watson, Watts, White and Wilson voted in the affirmative—38 ayes; and—

Messrs. Ancreaux, Auch, Amacker, Blake, Barillieau, Bonny, Calvert, Canonge, Deverges, Duran, Gasquet, King, Laville, Leads, Leroy, Lebeau, Maroey, Ogsatte, Ragan, Ronquillo, Street, Sauls, Sargent, St. Martin, Walker and Wilson voted in the negative—26 nays, consequently, said bill was adopted.

On motion, the above bill was ordered to be engrossed for a third reading on to-morrow.

On motion, the House formed itself into Committee of the Whole for the consideration of the following bills:

An act for the relief of J. O. Bryan.

An act for the relief of John Williamson.

An act making an appropriation to improve the Falls in Red River, in Alexandria.

An act to make further provisions for the completion of the Barraqueia and Lafourche Canal.

Mr. Sever being called to the chair, after some time, the Committee rose, and Mr Sever, the Chairman, reported progress, and asked leave to sit again Friday, the 22d.

On motion said report was adopted.

On motion the House adjourned until 10 o'clock to morrow.

LOUISIANA LEGISLATURE.

Official Report of Debates.

MONDAY, Feb. 25, 1850.

The Senate met pursuant to adjournment. Hon. J. R. Pouche, Lieut Governor, presiding.

The President announced the credentials of Hon. Samuel W. Dorsey, Senator elect from the Parishes of Concordia and Tensas, vice Hon. S. McWhorter, resigned. On motion, referred to Committee on Elections and—

On motion of Mr. Bryce, the oath of office was administered to Mr. Dorsey.

Mr Bryce introduced a bill granting additional powers to the Police Jury of the Parish of Rapides—Passed.

Mr. Swayze presented a petition from 68 Free Persons of Color, residing in the Parish of St. Landry, asking to be relieved from contributing to the School Tax, which on his motion, was referred to the Committee on Education.

Mr. Cole, on behalf of the Committee on Claims, reported in favor of the relief of J. H. Talmon—Passed.

Mr. Moore introduced an act relative to witnesses in civil suits. Referred to the Judiciary Committee.

Mr. Drew called up the bill to replace the Public Documents, destroyed by the conflagration of the Union House, on the Fourth of Columbus—Passed.

On motion of Mr. Dupuy, the Senate took into consideration "an act defining certain powers and duties vested in the Recorder of Mortgages, Municipalities of the City of New Orleans and providing for the election of certain Municipal Officers.

The 1st, 2d, 3d, 4th, 5th and 6th sections were adopted without debate.

The 7th section, which is as follows, was taken up—

SECT. 7. *Be it further enacted, &c.*, That whenever from some extraordinary cause, an additional tax may be necessary in the course of the ensuing year, such additional tax shall not be lawful unless after sanctioned by a majority of the legal voters residing within the municipality voting on such tax, within their respective wards, after ten days' notice given by the Council, and such vote shall be taken in the same manner as the annual tax, and under the superintendence of inspectors and clerks as in the case of an election of Mayor and Aldermen.

Mr. Bouldusque said that he was apprehensive the effect of this measure would be to increase the taxes, which he thought already weighed heavily on the people, and it may well happen that the majority of voters may sanction a tax, the weight of which falls on those who have not made up their taxes. He should like to hear some explanations from the Senator from New Orleans (Mr Dufour) on this subject.

Mr Dufour remarked, that this section had very carefully been considered by the Committee. Taxation has been an incubus on the energies of the City of New Orleans, and it was imperative that it is to prove a remedy that this section has been incorporated into the bill. The Senate would perceive from the provisions of the bill, that the Recorder Council could not determine the amount of taxation to be levied, they were compelled to cause to be laid before the Council a statement of the various items of expenditure, the budget was required to be laid annually in the year, so that the people should know the circumstances regarding the rate of taxation fixed upon. In extraordinary cases, where an additional tax should become necessary, it could not be levied without the express sanction of by a majority of the legal voters residing within the municipality voting on the tax.

As to the objects and its bearing upon St. John the Baptist, Mr Boudousquie said, that the tax composed wholly of land on the property holders, and those dwelling on their property will feel no pecuniary inconvenience from the rate of taxation imposed. I will observe to the Senator, that all the persons to whom he refers, may not perhaps have the interest, or inclination, or they feel the weight in a great not sure full upon them. The property holders will increase the rent of the tenants which holders who do not reside, occupy, so as to realize the interest on the capital invested, exclusive of ground and other charges. All taxation is a necessary consequence. All taxation is a necessary consequence. All taxation has the effect of taxation, and the citizens, having the benefit of her own hands they will not fail to receive it, tenants as well as the landlord.

The section was adopted.

The Senate took up the 8th section which is as follows:

SEC. 8. *Be it further enacted, &c.*, That the Councils of said Municipalities shall have the right of laying special taxes for local improvements to have the owners of property thereby benefitted pay the total or such part thereof, not exceeding two fifths of the whole or a portion of the taxes incurred for such objects. And whenever it shall be deemed expedient by the Council to make a new street or footway already paved, the cost of such street or footway and street or footway shall also be taxed to be specially paid in the manner established for existing laws. *Provided*, that no allowance for time shall be made in their favor for the value of the materials of the old pavement.

Mr. Boudousquie said, Mr President, it may well happen that this section will effect the poorer classes of the community. For example, a poor man has lot and labor have accumulated a few hundred dollars and have built themselves an humble tenement. For example, look at the Faubourg Marigny, they are generally very indigent people, one have not had time at all. In our large cities they pay taxes, and will be benefited by improvements, they make a home. By this section they are to be taxed for any improvements which may be deemed local improvements. Under this policy, lower ward people dreaded they may be to incur such expenses. What is the consequence? They have not the money to contribute to the additional tax, and the origin of this law they will be compelled to abandon their homes, and let out to some greedy speculator who will make money out of their unfortunate position. A street is ordered to be paved or there be walks made. They must contribute to one third of the cost, or they must be supposed have to be sold. That is my objection to the section.

Mr. Dufour said I am sensible to this objection, but in a large city there are cases in which it is indispensable that public improvements should be arrested and that the general good should be rendered, even to the detriment of private convenience.

Mr Boudousquie said I do not Mr President, desire in any way to impede the passage of the bill. I think, nevertheless, that the City Fathers and the Country has a deep interest in the prosperity of the City, and in encouraging every facility for commerce and the proper disposition of the public sales. But what is the position of things? The property owners are suffering from the abominable state of the streets, and from the want of necessary accommodations for produce.

The cotton, sugar and tobacco which encumber the levee, cannot actually be taken away, and the sugars placed on the platform exposed to all the inclemency of the weather. It is impossible to clean them, and the rain falls on the planter. It is therefore, I admit, very desirable that the streets should be paved, and that the City should be in a position to raise the necessary revenue. But, it is hard, I repeat, that the poorer classes living in the rear of the City, should have improvements forced upon them, and be compelled to sell out. To capitalists, the opening of particular streets may be very desirable—it gives additional value to their property, and raises its revenue. For instance the opening of Bourbon or Dorbigny streets may be desirable by extensive property holders, but it falls very heavy on the poor man who, by his economy, has been enabled to erect a little shanty. I have to intimate to the mover, and am actuated by a sense of justice alone.

The section was adopted.

The 9th and 10th sections were adopted.

The 11th section was taken up:

Sec. 11. *Be it further enacted, &c.*, That no commissioner of said Municipalities shall have the power to appoint to office; and no officer shall be removed from office unless by a resolution of the Council with a preamble containing the cause of such removal.

Mr. Boudousquie, that the latter clause, requiring the cause of removal to be set forth, is bad and it would be attended with pernicious effects. He moved to strike it out.

His motion prevailed.

The 12th section was adopted without debate.

The 13th section was taken up:

Sec. 13. *Be it further enacted, &c.*, That a Treasurer, a Comptroller and a Surveyor, shall be elected every two years in each Municipality by the qualified voters thereof, who shall perform the same manner that the Recorder of said Municipality is or regularly elected. In case of a vacancy arising from any cause whatever, a special election shall be held in the same manner as in case of vacancy for the office of Recorder. No person shall be eligible to any of said offices unless they shall have obtained a discharge for the amount of all public moneys which they may have been entrusted: and all officers so elected shall be and remain under the control of the Mayor and the Council of such Municipality, subject to removal as aforesaid.

Mr. Moore remarked, that he was in favor of the principle of the popular choice, but he apprehended that the introduction of the foregoing provisions into the bill conflicted with the article 118 of the Constitution, which prescribes that a law can embrace but one object, and that shall be expressed in the title.

Mr Dufour—On that ground, I move to strike out the 13th section.

The 13th section was stricken out.

The 14th and 15th sections were then adopted and the bill underwent its final reading and passed.

Mr. Marks introduced a bill relative to the mode of selecting grand jurors. Referred to the judiciary Committee

Act for the relief of James Cage, (authorising him to make such disposition of his property, *ne tis cause*, as he may think proper)

Mr. Boudousquie moved the passage of the bill, and called for the ayes and noes—15 ayes, 3 noes.

Mr. Ray presented a memorial from citizens of the parish of Morehouse on the subject of a road across the Mississippi swamp, which, on his motion, was ordered to be spread on the Journals and referred to the Committee on Internal Improvements.

Mr. Cole, on behalf of the Committee on Claims, reported an act to renew certain pensions.

On motion the rules were dispensed with and passed.

Mr. Sigur introduced an act in relation to the salary of the Governor's private Secretary. Referred to the Committee on Finance.

On motion of Mr. Dufour, the Senate took up the act relative to the Orleans Navigation Company.

After some discussion, in which Messrs. Dufour, Sigur, Waddill and Herefo d participated, the bill was ordered to be printed, and made the order of the day for Wednesday next.

Mr. Rickerby presented a memorial from citizens of Carrollton.

Mr. Bryce introduced a resolution appointing a committee of three members to inquire into and report upon the necessity and expediency of reducing the government of the State.

He observed, that the Treasury was nearly bankrupt, or would be so in the course of the ensuing year, and that it was indispensable to apply a remedy to the root of the evil.

Mr. Ray.—I concur most heartily in the resolution, but I fear that the committee raised for the purpose of inquiring into the causes of the evil, and the proper disposition of the public sales.

Mr. Bryce—I am very glad that this resolution has been introduced. It is high time that the Legislature should seriously examine the subject. On the 31st December, 1851, there will not be much more than $100 in the Treasury, and we shall be driven to the alternative of increasing taxation, or borrowing money. I am for avoiding either of the two expedients, and think we should bring the public expenditures down to the rate of taxation, and not the taxation up to the rate of the public expenditures.

The resolution was adopted.

And the President appointed Messrs. Sigur, Adams and Bicker, the Committee.

The Senate took up the substitute of Mr. Waddill, for the bill introduced by Mr. Dufour, to regulate depositions between minority persons;

Which, after some discussion, in which Messrs. Dufour, Waddill, Sigur, Moore and Ray participated, was adopted on the second reading.

Resolved, That the Secretary of the Senate be allowed to employ an assistant and clerk for a few days, which shall be paid out of the contingent expenses of the Senate.

The Secretary appointed Mr. George P. Addo, additional Enrolling Clerk.

Whereupon the Senate went into Executive session; and, when the doors were opened, they adjourned.

MARINE NEWS.

Port of New Orleans, March 13.

Cleared Yesterday.

Bark Delia Chapin, McNear, for Philadelphia, J W Andrews & co
Brit bark Blanche, Calhoun, for Rio, J H Elliott & co
Brig Rainbow, Emerson, for Philadelphia, J Palmer
Brig Susan Spofford, Spofford, for Philadelphia, A Kearney & co
Brig New World, Castera, for Charleston, J P Cotchett
Brig Cavrina, Graves, for Cowes & a market, G Green & Bro
Schr Eagle, Thomas, for New York, J W Andrews & co
Schr Mystic, Smith, for Tampa, J A Wetherby
Schr Elizabeth, Wolff, for Mobile, A Wetherby
Schr D C Foster, Caldwell, for Monrovia, (Africa) J Alexander
Schr Old Zack, McDonald, for Alexandria, T C Illesperier
Steamer Gen Hamer, Boardman, for Pensacola, J Hurley

Arrived Yesterday.

Steamship Falcon, Lieut Hartstene, U. S. N., fm New York Feb 9th, via Charleston, Savannah and Havana 20th inst, Paradise, Laurman & co—Lafayette
Ship Brunswick, Thomas, fm Havre 24th Jan, P Wolfe—Mazant
Brit ship Bland, Payne, 47 days fm Liverpool, Thos Rogers & co—2d mp.
Brig Mandina, Colley, 20 days fm Baltimore, master—Lafayette
Brig Parthenon, Days, 9 days fm Havana, master—In bay
Brig Adams Gray, Schneidan, fm Havana 6th inst, Mitchell & Maxendoff—1st mp.
Schr Powhatan, Cates, 4 days fm Pensacola, E G Rogers & co—Balize
Schr Austrick, Peterson, 2 days fm Pensacola, in ballast, master—Balize.

—STEAMBOATS—

Meteor No 3, Falconer, fm Attakapas
Storm, Moore, fm Camden
Eliska, Landry, fm Baton Rouge
Osceola, Hill, fm Pearl River
Mondina, Larkin, fm Red River
Monroe, Johnson, fm St Mazimaville
Anna, Johnston, fm Bayou Grosse Tete
Princess, Patchell, fm Bayou Sara
Alhambra, Brackell, fm Bayou
Peyton, Shaller, fm Louisville
Amazon, Dubois, fm Atchafalaya
Flora, Bassett, fm Vermilionville.

—TOWBOATS—

J P Whitney, Lambert, fm the Passes
Persian, Andrews, fm the Passes.

Towboat Register.

The J P Whitney, from the Passes—Towed down to sea 6th instant, ships New York, Trenton and Brig Von Gatzen—Brought up ships Brunswick and Bland.

The Persian, from the Passes—Towed down and sea 7th inst, ship Orlando, barks P Pendleton and N H Wolfe—brought up bark Mandana and brigs Parthenon and Adams Gray.

Memoranda.

The steamship Falcon experienced heavy gales, with head winds and seas, between New York and Havana.

Coastwise Ports.

CHARLESTON, March 7—Arrived, brig Joseph, Kelar, New Orleans.

SAVANNAH, March 5—Cleared, schr Mary Eddy, Eddy, New Orleans.

NEW YORK, March 3—Arrived, ship Mariners, Duncan, New Orleans. Cleared, ship Avalanche, Hawkins, do.

Below Coming Up.

Ships Toronto and Louisiana, and several square rigged vessels, names unknown.

Spoken.

By ship Brunswick on 26th Feb, off St Domingo, 40 days from Pawtucket, for this port.

Passengers.

Per steamship Falcon, from New York—Messrs Z Turk, J Farquhuson, J N Nicol, D Farquhuson, C V Legay, J Gasquet, J H Blossi, G Smith, J Dodge, Mrs Dodge, Mrs Kennedy, Mrs E Moser, Mrs Bergamire, Dorr, J H Malin, Messrs N Kennedy, G M Delany, W G Woodward, A Phelan, R F Campbell, Dr Barbell, L Clark, M Bell, J Bell, J Friend, E Fitzgerald, E Fear, H Bingham, J N Lard, B Anderson, J Hurley. From Havana—H Harrison, Mrs Moser, C Tete, S Smith, J Lee, Mrs Ward, Bilobbie, C Townsend, L Lafourche, F Wade, Y Townsend, M Dalgeastine, G Legay, R Lobeck, M McCauley, C Bell, S J Smith, H Kelly, R Moser, W A Lark, T W Owens, W H Hudson, P Bell, L Coffman, F Lemoine, H McCarty, W Foster, J Landis, J Compton, W Brown, E Bell, J Bocham, A R Becker, J Carlisle, Sally of Mr Martin.

Per ship Brunswick, from Havre—Madam A Mazant and 36 steerage.

Per ship Bland, from Liverpool—23 steerage.

COMMERCE & TRADE

Exports.

PHILADELPHIA—Per bark Delia Chapin, for Rio—1266 bales cotton 24 hhds tobacco 20 6 tcs 5 bbls 1267 kegs lard 122 hhds 71 cks & 6 bbls tar 10 bbls rosin 2 bbls 1 hd 192 bbls rosin 22 bbls 1 hd 1 bbl