OFFICIAL.

LOUISIANA LEGISLATURE.

FIRST SESSION—SEVENTEENTH LEGISLATURE

JOURNAL OF THE SENATE.

MONDAY, January 6th, 1845.

The being the day appointed for the meeting of the Legislature of the State of Louisiana, the Senate met accordingly at the State House, in the city of New Orleans.

The following members being present, viz:—A. G. Carr, of Feliciana, President; James G. Affan, Lafourche; Joseph Bernard, Baton Rouge; S. W. Downs, Opelousas; A. Declouet, Attakapas; Daniel Edwards, St. Tammany; Felix Garcia, Carrollton Coast; John, H. Hermanson, Rapides; Duncan F. Kenner, Acadia; A. Livaudais, Third Senatorial District; Zenon Ledoux, Pointe Coupee; Henry Marshall, Natchitoches; Thomas Slidell, Second Senatorial District.

Mr Downs moved that the oath of office be administered to the members elect. His motion prevailed, and

Messrs Allen, Edwards, Declouet, Garcia, Hermanson, Kenner and Livaudais, were sworn and took their seats.

Mr Bernard moved that the Senate proceed to elect a President. His motion prevailed, and he nominated Mr Felix Garcia, of the German Coast, as a candidate.

The votes being polled, the President appointed Messrs Bernard and Downs as tellers.

The votes being counted, (thirteen members present) it appeared that Mr Felix Garcia, was unanimously elected President, for the year 1845.

And, on motion of Mr. Bernard, the oath of office was administered to Mr Garcia, who took the Chair, and addressed the Senate.

On motion of Mr Downs, the Senate proceeded to the election of Secretary.

The votes being polled, the President appointed Messrs Bernard and Allen, as tellers.

On counting the votes, it appeared that Horatio Davis had received 13 votes.

He was therefore declared unanimously elected Secretary of the Senate, for the year 1845.

On motion of Mr. Declouet, the Secretary was sworn.

On motion of Mr Garcia, the Senate proceeded to the election of two Translating Clerks from English into French, and one Translating Clerk French into English.

The same Tellers were appointed.

On counting the votes, it appeared that Messrs Emile Wiltz and J. B. Maurvan, had received 13 votes as translators from English into French and that St Columbe Davis had received 13 votes as translator from French into English.

They were consequently declared unanimously elected.

On motion of Mr Garcia, the Senate proceeded to the election of two Enrolling Clerks.

The same Tellers were appointed, and the result was that

Mr Nadaud, had received 13 votes.
Brisat, " 2 "
Plantevigne, " 2 "
Tesi, " 1 "

None of the candidates having received the required majority;

On motion, the Senate proceeded to a third ballot for a fourth Enrolling Clerk.

Mr Nadaud, had obtained	3 votes
Brisat,	2
Plantevigne,	6
Tesi,	1

Neither of the candidates having received the necessary majority; the Senate proceeded to a fourth ballot.

The President again appointed the same tellers, and the result was that—

Mr Nadaud, had obtained	8 votes.
Brisat,	5 "
Plantevigne,	7 "

No candidate having yet received a majority, on motion, the Senate proceeded to a fifth ballot.

Before polling the votes Mr Bernard informed the Senate that Mr Nadaud was no longer a candidate.

The same tellers were again appointed by the President, and the following was the result:—

Mr Plantevigne had received	8 votes.
" Brisat "	5 "

Mr J J Plantevigne having received the necessary majority of all the votes cast, was declared duly elected.

On motion of Mr Slidell, the Senate proceeded to the election of a Reporter, a Sergeant at Arms and a Door Keeper.

The President appointed the same tellers, and the result was that—

Mr R. J. Ker had received 13 votes as Reporter.
Mr C. Lenaure had received 13 votes as Sergeant at Arms.

And Mr A. Grasche received 13 votes as Door Keeper. They were consequently proclaimed duly elected.

On motion of Mr Carter, the Secretary informed the House of Representatives, that the Senate had elected the Hon. Felix Garcia, President, and Horatio Davis, Secretary, and that the Senate was now organized and ready to proceed to business.

Mr Downs presented the following resolution, which was read and adopted:—

"Resolved, That each member of the Senate be furnished with two copies daily of such of the City papers as may be selected by each, for distribution among their constituents."

The President submitted the following letter which was read:

"New Orleans, Jan. 6th, 1845.

To the President and Members of the Senate of the Legislature of the State of Louisiana.

Gentlemen—You are respectfully requested to attend an examination of the Pupils of the Public Schools of Municipality No 3, which will take place on Monday and Tuesday next at half past 1 o'clock, p. m.

Your most obedient servants,

(Signed) WM. DEBUYS,
(Signed) L. DUVIGNEAUD,
(Signed) L. DELAPENA.
(Signed) JNO. ALBERTSON, Pres't.
Board of Direction."

And it the adoption of this letter the State of Louisiana is hereby bound to take all the articles manufactured in said Penitentiary and stock of materials on hand to be valued as provided in the tenth section of the aforesaid act.

And the said Lessees agree to maintain the said premises in good order, and at the expiration of this lease to deliver up every thing placed in their possession in like good order according to the inventory which is to be made previous to taking possession of the premises by said Lessees.

The Lessees agree moreover to leave upon the premises at the termination of the lease all alterations, additions, buildings, improvements, machinery, &c. of every kind which the Lessees may place thereon during the lease, free of all charge to the State.

In faith whereof we have hereunto signed our names, this ninth day of July, in the year one thousand eight hundred and forty-four, in duplicate.

(Signed,) A. MOUTON,
Governor of the State of Louisiana.
WM. PRATT,
JAS. McHATTON,
By his Attorney.
WM. PRATT.

Witnesses present:
ISAAC T. PRESTON,
ZENON LEDOUX, Jr.

Louisiana Penitentiary,
Baton Rouge, 4th December, 1844.

To His Excellency Alexander Mouton,
Governor of Louisiana—

Sir: Agreeably to the authorization of the Board of Directors of the Louisiana Penitentiary, (a copy of which is contained in the enclosed document marked A.) I beg leave to transmit to your Excellency the within documents, together with the following statements of facts and the opinion of the Board of Directors relative to the affairs of this Institution.

According to the instructions of the Governor communicated to us through the Attorney General, the Board of Directors on the 12th day of October last, transferred the Penitentiary, together with the prisoners, and all materials, implements, &c., to Messrs McHatton and Pratt, for the term of five years from the 1st day of October, eighteen hundred and forty four, the Louisiana Penitentiary situated in the town of East Baton Rouge, with the right, privileges and appurtenances thereunto appertaining. The Lessees hereby obligating themselves, their heirs, executors and administrators to take charge of the Lessors, and faithfully to administer the same in accordance with the provisions of an act of the General Assembly of the State, approved the twenty fifth day of March eighteen hundred and forty four entitled, An act to provide for the better administration of the Louisiana Penitentiary. It is agreed that the Louisiana Penitentiary from the first day of October eighteen hundred and forty four shall be placed under the control of the said James A. McHatton and William Pratt for the term of five years from that date.

The said James McHatton and William Pratt before being placed in possession of the said Penitentiary and appurtenances as aforesaid shall execute their bond as principal, with Leo Torleton, George W. Ware, John Emerson and P. W. Tyrrell securities in solido in the sum of twenty five thousand dollars for the faithful performance of their contract, and on their refusal or failure shall give bond and security in the further sum of fifteen thousand dollars to secure the State for an advance to be made to that amount by the Governor and the faithful appropriation of the same in pursuance of the provisions of the 7th section of the aforesaid act in erecting machinery for the manufacture of bagging and rope from hemp and to complete the machinery for the manufacture of cotton and woollen goods, as set forth in the aforesaid ninth section of the act aforesaid.

And the said Lessees agree faithfully to repay to the State the above sum of fifteen thousand dollars, in three years from the lease thereof, with interest to the State Treasury semi-annually at the rate of six per centum per annum, payable in pursuance of the ninth section of the said act.

The said Lessees agreed to give their bond to secure to the State of Louisiana the payment of the price of all the manufactured articles and materials to be purchased by the said McHatton and Pratt in pursuance of the tenth section of said act to the amount of the aforesaid sums thereof, payable at the expiration of the lease.

The lessees also engage to pay the sum of two thousand two hundred dollars per annum into the State Treasury quarterly for the payment of the salaries of the Clerk, Physician and Chaplain of said Penitentiary, as fixed by the fifth and seventh sections of the said act, so that the State shall be free from all charge and expense on account of the Penitentiary during the term of this lease.

Generally said Lessees engage to take charge of said Penitentiary under the direction of the Board of Directors, and to conduct the same in the manner prescribed by the act aforesaid, which is hereby made part of this agreement excepting that the Governor in exercising the discretion vested in him by the fifteenth section thereof, hereby agrees to exempt said Lessees from the payment of the profits that may arise from said Penitentiary as required by the twelfth section of said act in consequence of the hazardous nature of this contract. And said Lessees do hereby agree to afford every facility to the Clerk, Physician and Chaplain of said Penitentiary in the discharge of their duties as fixed by the said act, and to keep the prisoners comfortable and treat them with kindness and to comply with every thing else required by said act and the regulations of the Penitentiary, as fully as if specially stipulated in this contract.

And at the expiration of this lease