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"THE UNION—IT MUST BE PRESERVED."
THURSDAY MORNING JAN. 16, 1834.

FOR GOVERNOR
B. DAWSON.
FOR MAYOR
JOHN H. HOLLAND.

The Northern Mail has received yesterday, its contents are quite uninteresting.

Washington dates to the 7th ult. afford nothing of interest. The Senate did not sit on this day, and the House transacted little or no business.

A letter written from our city to his friend at the north complains of there being a great pressure in the money market. This is not to our city in more free from commercial embarrassments at this critical period, as the bank papers say, than perhaps any other in the union. It is to be regretted that we have amongst us those who would from political or other unworthy considerations, endeavor by misrepresenting our condition to injure our credit abroad.

Mr. Saxt, whose independent and able course as chairman of the Finance Committee of the City Council is generally appreciated amongst his fellow-citizens, has been continued by the council in that station. This is a high approbation of the steps adopted by him to invest the city funds in the manner best calculated to add to its fiscal prosperity.

Mr. Barrett, whose engagement with that of his talented lady, has afforded such a fund of rational amusement, takes his leave well beneath the evening. It is but reasonable to anticipate that his claims will be favorably received.

LATE FROM HAVANA.

A friend has placed in our hands files of Havana papers to the 31st ult. received by the *Minerva*, containing Madrid dates to the 9th November.

Nothing of striking import is communicated. Tranquillity had been restored in Spain, and a general peace reigned throughout the whole country. Several executions had taken place among those who had made themselves amenable to the laws by the part they took in the late revolution.

The brig Packet, at New-York, from Oporto 19th November, reports that a skirmish had taken place between a party of Miguelites who made an attack on Oporto, and the Pedrosos. The attack was unexpected, but the Miguelites were repulsed with trifling loss on both sides. The Miguelites are encamped about a league from Oporto, and are 1500 strong.

A total eclipse of the Moon was observed on the 27th ult. at New-York and Baltimore.

The committee on internal improvements in the national house of representatives, have made a report recommending a further appropriation of a million of dollars be made to the Ohio and Chesapeake rail road company.

The House of Representatives of Ohio have passed a resolution disapproving the Military Academy of West Point as at present organized.

A minority in the Senate of South Carolina have entered on their Journals a protest against the passage of a law establishing an oath of allegiance to the State.

Two additional candidates have been nominated for the Presidency—Governor Troup, of Georgia, and Gen. Sevier, of Arkansas. The latter is recommended upon the score of his knowledge of state affairs, as well as his military services.

Intelligence to Captain Ross.—Notice has long ago, in the Provincial Parliament of Upper Canada, of a bill authorizing the Lieut. Governor, Sir John Colborne, to convey the lands of that city to Capt. Ross, of the Roy'l Navy, in consideration of 1000 pounds. Some of the Canada papers object strongly to the gift, and say that the money should be spent in paying the debts of the province.

Aqueduct.—Advices from the Pacific, by Baltimore, mention that the towns of Arica and Tacna, in Peru, were almost destroyed by an earthquake on the 13th of Sept. We have received no particulars.

A report of the failure of one of the first Mercantile Houses in New-York, for the sum of 6 or 700,000 dollars, has been circulated. The New-York Gazette says that the house alluded to was under some temporary duration; and adds—"But who can stand the sudden effects of such a pressure as now exists?"

The Journal of Commerce of New-York, a liberal opposition paper, contains the following statement, viz.

"The removal of the Government deposites from the United States to the local Banks, cannot have produced the present scarcity. It has withdrawn no money from the market, and created no new demand for money. The circumstance of collecting the public revenue through a new channel can no more produce a great scarcity of money than [illegible] in the ocean."

The same paper contradicts the fabrication of the Star and other Bank presses, in the following language, viz:

"We have seen it stated in some of the newspapers that a house in this city had been furnished from other sources, with notes on the United States Bank at Savannah, for the purpose of making a run upon that Branch.

"From assurances made us in which we have the utmost confidence, and from letters which we have seen, we are fully persuaded that such is not the fact. So far from it, the house alluded to did not even know of any intention of their house at Savannah to draw specie from the United States Bank, until information of the demands having been made, was received in this city by mail.

"The efforts of the Biddle's and the whole family of broken down politicians and reeling aristocrats, remind one of a declaration made by old John Adams, in his Cunningham correspondence, viz:

"A powerful family, when fallen into decay, would sooner annihilate Heaven and Earth, than fail of carrying their point."—*Globe.*

Rowland's Stephenson.—We are happy to learn that this unfortunate gentleman has, by the exertions of his counsel and friends, succeeded in procuring bail "for the limits" in the requisite amount (40,000 dollars,) and was on Thursday evening, released from incarceration in the Debtor's Prison in this city, to which he had been committed at the suit of exander Parkins, an inmate of the establishment.—*N. Y. Commercial Engraver.*

Experiments and Observations on the Gastric Juice, and the physiology of Digestion.—By William Beaumont, Surgeon in the U. S. Army. Here is a work that will create a sensation among the fraternity of dyspeptics. The subject of the experiments is a French Canadian, named Alexis St. Martin, who, while engaged in the service of the American Fur Company as a Voyager, was accidentally wounded by the discharge of a musket, fired within a yard of him. The charge consisting of powder and duck shot, entered his left side, literally blowing off integuments and muscles for a space as large as a man's hand, fracturing two of his ribs, lacerating the lower portion of the left lobe of the lungs, and perforating the stomach. He was then about eighteen years of age, of good constitution, robust and healthy; and under the skillful treatment of Dr. Beaumont, who was called to his assistance, the wound at the end of eight or ten months, was healed, though not closed. An opening into the stomach remained sufficiently large to permit experiments to be made with the gastric juice in his stomach, and for observing the effects of digestion on various articles of food. The general mode of making the experiments was by fastening small pieces of meat, bread, &c. to a string, and dropping them into the stomach through the aperture. But the opening was large enough to enable the Doctor to observe nearly all that was going on inside of his patient. In this way he analysed himself for several years—the Canadian, in the mean time enjoying good health, exercising, eating and drinking like other people—and, in fact, becoming plethoric and robust under the process of experiments.

The results are as follows—That animal and farinaceous aliments are more easy of digestion than vegetables; that solid food, of a certain texture, is easier of digestion than liquids; that exercise elevates the temperature of the stomach, thereby accelerating digestion, and that sleep, or rest in a recumbent posture depresses it; that digestion is not affected by minutenes of division and tenderness of fibre, [illegible] the tables in this book, it would seem that of [illegible] from codfish to custard, tripe is [illegible] digested—Fried Tripe and Pigs feet squeamish [illegible] in 1 hour, while Custard required 2 hours. [illegible] 1 hour 30 minutes, Pickled Beets 1 hour 30 minutes, Boiled Cabbage 2 hours 30 minutes, Boiled Beef 3 hours, Boiled Tripe 2 hours 30 minutes, Raw Oysters 2 hours 55 minutes, Roasted do 3 hours 15 minutes, Stewed 3 hours 30 minutes. Of all fibrous meats Venison was found easiest of digestion requiring only 1 hour and 25 minutes.

We doubt, however, whether the lighter dyspeptics can be placed on the same footing, and as persons of this class are generally pretty [illegible] them against attempting to regulate their diet by these pillikory statements. Digestion is a subject essentially modified by the idiosyncrasy and habits of individual—and the mere description of the food in the stomach is only a part of digestion, understood in the broad sense of the term.

WATCH STOLEN.—Will stolen from the subscriber on the 1st inst. New-Years in the morning, a good gold watch, containing several valuable papers, and a French silver watch, having a silver seven jewelled plain glass engine. On the latter were inscribed "Carel to Rose." To any person giving a good clue, shall be a liberal reward will be given by the owner. Any person selling or leaving the watch shall be prosecuted. PRECASANAVE, Bienville st. near the Globe inn.
jan 12

SECOND SESSION, SEVENTH LEGISLATURE.

JOURNAL OF THE SENATE.

MONDAY 30th December, 1833.

The Senate met agreeably to adjournment.

Members present: Messrs. Ch. Derbigny, President, Berthe, Labranche, Lacoste, Leblanc, Nicholas, Prudhomme, Sloan, Saunders and Weathersby.

Mr. Saunders, chairman of the committee to whom was referred the apportionment bill, presented the following report:

"The committee to whom was referred the bill from the House of Representatives, entitled "an act to apportion the Members of the State of Louisiana in conformity with the constitutional census," have the honor to report:

"The bill from the House of Representatives proposes sixty as the aggregate number of the members of the House of Representatives, and apportions that number among the several parishes of the State that each parish shall have at least one Representative.

"Your committee believe that the policy of giving one Representative to each parish in the State is temporary and inadmissible either upon the constitutional and however inadmissible may be the property in general, yet if the population increases, the number of the House of Representatives, they would willingly yield all objections to the proposed number for the sake of securing an equal representation as Mine which has been formed the principal object of this bill. Many considerations seem to favour the policy of so apportioning the Representatives that each parish shall have one, and if no other inconvenient but that of adding to members to the existing organization of the House of Representatives presented itself, your committee would not hesitate to recommend to the Senate its concurrence in the measure. But considerations paramount to the public convenience, and even to the public necessity, restrain your committee from offering the recommendation which should be so agreeable to their own wishes, and so consonant to their impressions of public policy and convenience.

"Your committee believe the bill proposes a palpable violation of the Constitution, and however much they may be disposed to advocate the equal and uniform rule of representation, they know that the "equal" exists only by the Constitution.

"Pass the boundaries of that instrument in such cases of the "right of representation," and we are barren shall we find, to our encouragements. A strict adherence to the letter of the Constitution cannot be too strongly enforced. When its dictates are peremptory, no sufficient palliations can be presented for their breach; and in the subject under consideration your committee find its language too plain to be mistaken. "Representation shall be equal and uniform throughout this State, and shall be forever regulated and ascertained by the number of qualified electors therein. In the year one thousand eight hundred and thirteen, and every fourth year the enfolder, an enumeration of the electors shall be made in such manner as shall be directed by law. The number of representatives shall in the several years of making such enumeration, be fixed as *not to be less than twenty nor more than fifty.*" (Art 2, Sect. 6. Constitution of Louisiana.) It is not possible that language can be plainer or more distinct. No sophistry can evade the conclusion that the framers of the Constitution intended to fix and have fixed an unpalatable negative on the power of the Legislature. Indeed, no one pretends that the authority of the Legislature to increase the number of Representatives beyond fifty is derived from the Constitution.

"Can then the General Assembly have the authority to pass this bill to other legitimate sources?

"As a just representation in the congress of the State of that portion of it which is denominated Florida is made, by the advocates of this bill, to depend on the same principles on which it rests, and as that is the real basis of the bill, it may be proper to state briefly the impressions which your committee entertains on that early ent.

"The act of Congress, approved April the 14th 1812, entitled "an act to enlarge the limits of the State of Louisiana," and the resolution, passed by the Legislature on the 6th of August 1812, by which the contingency of the house of this State was agreed to, constitute the authority on which the argument in favor of the bill is based.

"No proposition can be more fallacious than that which leads to the conclusion that the acts of Congress and the Legislature have changed or modified to the slightest extent the Constitution of the State. The Constitution itself points out the only means of its amendment, and does not recognize the existence of any other power to alter or modify a single word in it. The argument however seems to be founded on the necessity of the case, and indeed, it has been urged, under the Constitution we contended is an equal representation of the rights and privileges of citizens in the other part of the State, it follows that it is necessary that the Constitution be so altered as to meet the circumstances. The conclusion is, indeed, fallacious in the premises. Florida acquired no other right, by the act of Congress, in seeking it to the State of Louisiana, but that of being an integral part of the territory of the state. Congress has no power to confer more right. All her civil and political rights are derived from the high authority of the Constitution, and not from the mere concurrent power of the Congress of the United States. All arguments founded on a different basis detract from her dignity, and unquestionable rights. If the Constitution had provided that the civil and political rights secured by it should not be extended to any territory acquired by the State after its adoption, would it be supposed that such a negative could be surmounted by an act of Congress? Whence does Congress derive the power to alter or modify the Constitution of a State? If the Constitution had fixed the negative before named, in the rights of Florida, she would have no other than that of being an appurtenance of the State. But Florida is an integral portion of the State of Louisiana, and possesses all the rights civil, political, and religious possessed by any other part of the State. She derives them not from the important power of an act of Congress, but from the Constitution itself. The Constitution does not inhibit the acquisition of new territory by the State. Consequently under the principles before stated the Legislature may by the consent of Congress acquire new territory. The consent of Congress is necessary only to the acquisition by the State, and the Legislature may admit the newly acquired territory to all the enjoyments held by the other part of the State not forbidden by the Constitution. Test the situation of Florida by this principle. The constitution does not prevent the executive from ruling over that district. The judges of the State are not forbidden to vest in judgement on her people on their rights. It is not provided that of the fifty representatives limited to the State by the Constitution, a just proportion of them may not be selected from that territory. The number of Senators is not limited by the Constitution. The Legislature possess the power under the Constitution to grant to Florida or any other territory that may hereafter be acquired a full participation in the legislative, executive, and judicial powers of the Government of the State of Louisiana. The Senators from Florida do not hold their seats in the body by virtue of the Act of Congress. Their places are guaranteed to them by the laws of the land constitutionally enacted. The 10th section of the 2d article of the Constitution provides that "*the State*" shall be divided into *fourteen* senatorial districts, which shall forever remain indivisible, and that "each district shall elect one Senator." Suppose the expression that "each district shall elect one Senator" be construed as to deny the Legislature the power to increase the number of Senators in one or more of the districts, does such construction affect the power to increase the number, provided they are selected from other districts? Plainly not; because the scheme of the Constitution leaves the power in the minds of the Legislature. And the law, in the expression of one thing is the exclusion of another, is inadmissible in construing the Constitution and the relative powers of the Legislature. The constitutional provision that each district shall elect one Senator does not affect the power of the Legislature to provide by law that each district may elect two or more Senators. This constitutional provision does not regard the integrity of the Senatorial, but the individuality of the districts only. Neither than the election of Senators from a district secured after the adoption of the Constitution, nor an increase of the number in the districts established by an instrument, is forbidden. Consequently the entire organization of the legislative power with the limitation only that the individuality of the districts be preserved by the Constitution shall be preserved. The provision of the act of Congress is for the benefit of a territory of the United States formed into a State. A change in the limits of a State cannot change the Government of Louisiana.

"The Government of the State of Louisiana takes its rise before the formation of Congress. It is the inheritance of Louisiana. Under it Louisiana has existed as a State, and in the exercise of her sovereignty, she formed the Constitution under which she now lives. Congress has no power to change the Constitution of Louisiana, nor to impair the power of the Legislature of Louisiana. Under the Constitution of Louisiana, the Legislature possesses the power to increase the number of Senators in the district of Florida, and