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OFFICIAL.

LOUISIANA LEGISLATURE.

SIXTEENTH LEGISLATURE—FIRST SESSION.

HOUSE OF REPRESENTATIVES.

MONDAY, 13TH MARCH, 1843.

The House met agreeably to adjournment.

The Speaker laid before the House, the memorial of Louis Pairebocuf, praying to be dispensed from paying a State tax on billiard, &c.

On motion, said petition was referred to the Committee on Claims.

The Speaker also laid before the House a communication from the Connecticut Historical Society, asking for a copy of the Journal and other Legislative Documents, published by the House of Representatives, for this and former years.

The Speaker also submitted the memorial of sundry property holders of the Parish of Jefferson, on the right bank of the Mississippi River, praying for the incorporation of the town of Gretna.

Mr. Allen laid before the House, the memorial of sundry inhabitants of the Parish of Lafourche Interior, praying that a certain relief be granted to Jean Jacques Babin.

On motion, said petition was referred to the Committee on Propositions and Grievances.

Mr. Brashear introduced the following resolution,—Be it resolved, &c. That the Governor of the State is hereby authorized and required to demand and recall all the bonds issued by the State to the Citizens' Bank not yet sold or disposed of according to the law under which they were issued. Also, all the bonds of the State issued in behalf of the different Municipalities of the City of New Orleans, not disposed of at this time, according to law; and all bonds of whatever description heretofore issued by, or granted by the authority of the State; and not yet disposed of according to the law under which they were issued, and that such bonds so recalled and returned, be cancelled by the Governor and Secretary of the State, which was read for the first time, and

On motion, laid on the table, subject to the call of the House.

Mr. Wade, was laid before the House, the memorial of A. Weather, &c., remonstrating against a petition of sundry citizens of East Baton Rouge, praying for the separation of the Courts-hip of the Probate Court from that of the District and Parish Courts of said parish.

On motion, said memorial was referred to a select Committee of five members, with power to send for persons and papers.

The Speaker appointed Messrs. Philips, Heath, Allen O'Brien, and Perkins on said Committee.

On motion, the rules were dispensed with, and the House took up for a second reading, the resolution granting leave of absence to Judge G. Carleton, Judge of the Parish of Catahoula, which was also adopted.

The Clerk was directed to request the concurrence of the Senate thereon.

On motion, the rules were dispensed with, and Mr. Taylor introduced, without previous notice, the bill entitled:

An act to amend the act of 1842, relative to the 5th, 9th and 10th Judicial District; which was read for the first time; and on motion, referred to a Select Committee of three members.

The Speaker appointed Messrs. Taylor, Brashear and Cowhues, on said Committee.

Mr. Ratliff, on behalf of the Committee on Claims, to whom was referred the bill, entitled:

An act for the relief of Armand Hallot and others, and the petition of the Trustees of Caddo Academy, praying for relief, reported unfavorably to said bill and petition, and prayed to be discharged from any further consideration of the same. On motion, said report was adopted.

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

An act for the relief of the Merchants' Exchange Company, reported unfavorably to the same by the following report:

The Committee to whom was referred the bill, entitled: An act for the relief of the Merchants' Exchange Company, have had the same under consideration, and have to submit the following report:—The object of the bill is to authorize the Treasurer of the State to pay to the Treasurer of said Company, the sum of one thousand eight hundred and forty three dollars 10-100, for the rent of the rooms occupied by Judge Workman, as the 1st Judicial Court, as his court room and clerk's office, during the last three years of December, 1840, the 6th section of the act of the Legislature, approved the 6th of March, 1839, is relied upon to authorize the payment of the claim. By reference to said act the Committee cannot concur in the conclusion, that the act supports the pretensions of the claimants, the 2d section of said act reads in the following words: the rent of the places of holding the District Court for the first District, and the Criminal Court for said District, as well as the necessary expenses for procuring furniture for said courts, shall be borne by the taxable inhabitants of said district, and the taxable inhabitants of the city and parish of New Orleans, shall in like manner bear all the expenses necessary for the house rent and furniture of the Parish Court, for the said city and parish as hereinafter prescribed.

The 3d section of said act provides the manner of levying and collecting the tax necessary for the defraying the expenses of said court.

The 6th section of said act upon which the claimants rely, is in the following words: until the collection of the said tax, the State Treasurer shall be authorized to advance the sum necessary to pay the rents due by the District Court for the first District, and the Criminal Court as above mentioned, and he shall reimburse himself on the sums produced by the taxes authorized, and shall be paid into the treasury, and in consequence it shall be the duty of the Judges imposing the tax to fix it so as to put purchasers at the end of the year, the sum advanced by the State aforesaid. The Committee believe that by a sound construction of the whole context of said act, it was not the intention of the Legislature to provide for the payment of the rents of rooms for the use of the District and Criminal Courts of the first District out of the State Treasurer, only for the first year after the passage of said act, and that the treasurer was to reimburse the treasury for this advance out of the first money collected under the provisions of said act, and they were readily come to this conclusion, as it is in accordance with the true equity and justice, as every parish in the State has to provide at its own expense a suitable Court House, and all the necessary expenses of the administration of justice in their respective localities, and they cannot see why the first District should form an exception to the general rule therefore, the Committee beg leave to be discharged from the further consideration of the same.

CYRUS RATLIFF,
Chairman of the Committee on Claims.

Mr. Ogden laid before the House, the memorial of the Louisiana Volunteers, praying for pay.

On motion, said petition was referred to the Committee on the Militia.

By a message from the Senate, by Mr. Davis, their Secretary, the House was informed that the Senate had concurred in the following bills, entitled:

An act to incorporate a Congregation of the Protestant Episcopal Church, in the town of Natchitoches.—*And,*

An act relative to the Public Buildings of the State, and State Library.

Mr. Hunt on behalf of the Committee of Retrenchment and Reform, to whom was referred the bill as amended by the Senate, entitled:

An act to increase the Revenue of the State, submitted the following report:—

The Committee on Retrenchment and Reform—to whom was referred, on Friday last, a bill, entitled:

An act to increase the revenue of the State, to reduce the salaries of certain officers, and for other purposes, with instructions to report upon the same, this morning, report:—

The duty of providing an adequate revenue, for the current annual expenses of the Government, by supplies raised within the year, is manifest,—

For a long time past, however, this duty has been neglected by Louisiana. The annual expenditures of the State, have far exceeded its income, and the Government by means of loans from the banks.

In 1838, the debt of the State to the banks, had swelled to the sum of three hundred and fifty-five thousand dollars, but this debt was paid, in the course of that year, out of the amount received by the State from the national Government, when a portion of the surplus revenue of the latter, was distributed among the several States.

The odium and unpopularity attendant upon lavish taxation; and the fatal facility of obtaining money from the banks, by loans, continued however still to operate, and produced their natural results. The Legislature forgot their duty, to provide within the year, the necessary income for the year, and neglected to exercise the rigid economy natural in a republican Government.

The number and the salaries of public officers were increased. The expenditures of the State, continued to exceed the receipts, and the annual deficiency in the public revenue was supplied by a regular resort to new loans from the banks until, in December, 1842, the debt of the State to the banks, amounted to the enormous sum of $1,175,000. Notwithstanding these loans, the State has been unable to meet her engagements, and has been reduced to the painful and humiliating necessity, of suffering the interest, due on some of the bonds, issued by her in her sovereign name and capacity, to remain unpaid.

The State Treasurer, in his report of the 12th January, 1843, informed the House, that "of the current expenses of the State and annual appropriations, there remained due on the 31st December, 1842, the sum of about $178,336 10"—of which, $25,000 were due for salaries, and $71,788 11, for interest on the State debt. He further stated that

"The report made on the 18th of January, 1842, exhibited a deficit in the expenditures over the probable receipts of $236,477 66." And the same rate of expenditures be continued for the present year, the deficiency cannot fall short of that sum, of which but a small portion can be made up out of the additional taxation for the present year under the acts passed at the last session of the Legislature."

The banks of the State, crippled and prostrated by the late crisis, are no longer able to render the least aid to our treasury, on the contrary, some of them have imposed, unexpectedly, additional burdens on the State. The failure and ruin of the Citizens' Bank, and of the Consolidated Association, to meet the amounts due, and about to become due, on the bonds, issued by Louisiana, as their favor, have largely increased our financial difficulties.

It does not fall within the province of this Committee, to point to the resources of the State, and to suggest the means of filling the public coffers. It will be the duty of the Committee on Finances to attend to this.—But it cannot be improper to declare the fact, that the exigencies of the times, call for whatever revenues the State can supply, and demand the utmost economy in our expenditures.

The salaries of public officers, in this State, have hitherto been, upon the whole, very liberal. At first moderate, these salaries, were gradually increased, as the State grew in population and wealth; and it will be found on examination, that, in prosperous times, when labor was in demand, and the wages of labor were high, and money was abundant, Louisiana salaried the compensation of many of her public servants, and enabled them to participate in the general prosperity, by means of her liberal remuneration.

Is it not reasonable then, that now, when things are changed—when misfortunes beset the State, when debt presses upon her, and her treasury is exhausted,—when the wages of labor are low—money is scarce, and the expenses of living are reduced one half; is it not right and just that the salaries of the officers of the State should be reduced?

The Committee pondered long before they could resolve upon a reduction in the salaries of the Judges.—The independence of the Judiciary is essential to the impartial administration of justice: And it has been judiciously observed, that to secure this independency of the Judges complete, the public salaries of their office, ought not only to be certain, both in amount and commencement, but so liberal as to secure their integrity from the temptation of secret bribes; and this liberality will answer also the further purpose of preserving their jurisdiction from contempt, and their character from suspicion; as well as of rendering the office worthy of the ambition of men of eminence in their profession." For these reasons many of the Constitutions of the States of the Union, have expressly provided, that the salaries of Judges should be fixed and permanent.—There is no such provision, however, in the Constitution of Louisiana, except with regard to the Supreme Court of the State. The salaries of the other Judges of this State, are left to the discretion of the Legislature, whose whole action on this subject, hitherto, has been to increase those salaries. But the situation of public affairs, now requires a different system. It is a matter, not of choice or discretion, but of urgent necessity. A bankrupt treasury compels us, however reluctant we may be, to recommend a reduction in the salaries of the Judges. The Committee, therefore, recommend the adoption of the Senate's amendment of the bill relative to this subject, with the modifications, hereinafter set forth.

The Committee recommend also, the adoption of that portion of the tenth section of the bill referred to them, which reduces the salaries of the District Attorneys of this State; and the adoption of the 7th, 8th, 10th and 12th sections of the bill, relative to the duties of, in making and examining the accounts of public officers, therein embraced; affixing a penalty to any false oath in relation thereto; abolishing the office of translator of the Criminal Court of the First District, and imposing the duties thereof, on the Clerk of said Court; allowing the mode of paying Constables and other officers for attending said Court, and the compensation of witnesses in criminal cases.

The Committee recommend also, the adoption of the several amendments proposed by the Senate, to the 1st, 2d, 3d, 5th and 6th sections of the original bill sent from this House; and to the title of said bill.

The Committee recommend further, that the salary of the Adjutant and Inspector General of the State, be reduced from $2,500 to $1,200 per annum.

That the salary of the Chief Warden of the Penitentiary be reduced from $2,400 to $2,000 per annum.

That the salary of the Auditor of Auction Accounts, be reduced from $1,000 per annum to $1,500.

That the salary of the Presiding Judge of the City Court of New Orleans, be reduced from $4,000 to $2,000 per annum.

That the salary of the Judge of the Court of Probates in and for the City and Parish of Orleans, be reduced from $3,500 to $3,500 per annum.

That the salary of the Clerk of the Criminal Court of the First District, be reduced from $2,000 to $1,500 per annum.

That the salary of each of the Assessors of Taxes, in the Parish of Orleans, be reduced from $1,500 to $300 per annum.

And that the salaries of the Judges of the Commercial Court of New Orleans—of the First Judicial District Court of this State—and of the Criminal Court of the First District of this State, shall be for each of the said Judges, $3,500 per annum.

In pursuance of these recommendations, the Committee submit to the consideration of the House, the following amendments:

1. Strike out the words "the Parish Court" and "three thousand dollars" and in lieu of the latter insert "$3,500 in the 10th section; and add thereto the following, the salary of the Judge of the Parish Court of New Orleans shall be $3,000 per annum.

2. Insert the following section as the 13th in the bill. Section 13. Be it further enacted, &c., That from and after the first day of April, 1843, the salaries of the following public officers shall be as follows, to wit:

Adjutant and Inspector General of the State,	$1,200
Presiding Judge of the City Court, of New Orleans, per annum,	2,000
Judge of the Court of Probates, per annum,	3,500
Clerk of the Criminal Court, First District per annum,	1,500
Auditor of Auction Accounts, per annum,	1,500
Each Assessor of Taxes, in the parish of New Orleans, per annum,	300

The Committee respectfully submit, that the retrenchments and reform herein recommended, are just and reasonable, and are imperiously demanded by the state of the Public Treasury and the present embarrassments.

R. HUNT, Chairman.

On motion, the rules were dispensed with, and Mr. Clark offered the following resolution:

Resolved, that for the residue of the session, this House will meet for the purpose, at 10 o'clock, A. M. and for the evening session, at 5 o'clock, P. M., every day in the week, Sundays excepted.

On the adoption of said resolution, Mr. Robertson called for the yeas and nays, and they were granted, that Messrs. Bayliss, Blanchard, Brashear, Brewer, Broussard, Clark, Cunnillion, Edwards, Farmer, Foley, Fortenne, Heath, Howell, McRae, Newport, O'Brien, Orr, Perkins, Phelps, Philips, Robertson, Stille and Taylor, had voted in the affirmative—23 yeas; and that Messrs. Allen, Benjamin, Brant, Boudousquie, Bordelon, Coffer, Delassus, Gaudet, Garrigues, Hunt, Mason, Morgan, Ogden, Rogers, Voorhies, and Wilson, had voted in the negative—16 nays. Said resolution was consequently adopted.

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

On motion, the House went into a recess of a few minutes.

Mr. Brashear gave notice, that he will shortly introduce the bill, entitled:

An act to increase the number of Auctioneers in the State of Louisiana.

On motion, the House took up for a second reading, the bill, entitled:

An act to amend an act, entitled: An act to incorporate the faculty of the Medical College of Louisiana and the Medical College of Orleans, which had been reported favorably by a Special Committee, and laid on the table, subject to the call of the House.

The several sections having been adopted with amendments; the rules were dispensed with for a third reading.

On motion, ordered that said bill do pass as amended and retain its title.

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

Agreeably to previous notice, Mr. Drewer introduced the bill, entitled:

An act to make it the duty of the Parish Judges in certain cases, to authorize married women to institute suits; which was read a first time; and the rules having been dispensed with, underwent a second reading, and a substitute offered by Mr. Brewer to the first section. On motion, the rules were dispensed with, and said bill was read a third time.

On motion, ordered that said bill do pass under the following title:

An act to make it the duty of the Parish Judges in certain cases to authorize married women to institute suits, and for other purposes.

By a message from the Senate, by Mr. Davis, their Secretary, the concurrence of the House is requested to a resolution, requesting the Governor to apply to the General Government, for the quota of Muskets, &c., due the State under the laws of the United States, and to the bill, entitled:

An act to increase the salary of the Auditor on Auction sales.

By the same message, the House was informed that the Senate had concurred with amendments to the bill, entitled:

An act to amend article 3,333 of the Civil Code.

The concurrence of the House is requested to said amendments.

By another message from the Senate, the concurrence of the House is requested to the following bills, entitled:

An act granting a certain privilege to Reuben Drake, and

An act relative to the slave Venus, alias Winney.

The House took up for a second reading, the bill, entitled:

An act to repeal the present laws in relation to duelling, which had been laid on the table, subject to the call of the House.

The 1st section being adopted, Mr. Benjamin moved to lay on the table, indefinitely, the 3d section, which reads as follows: That it shall be the duty of the Governor of the State immediately after the passage of this act, to inspect and appoint five persons to constitute a board of honor, and that it shall also be the duty of the Governor to fill any vacancies that may from time to time occur in said board.

On the question for the adoption of said motion, Mr. Philips called for the yeas and nays, which is appeared that Messrs. Bayliss, Benjamin, Brant, Blanchard, Brashear, Clark, Culbertson, Delassus, Foley, Fortenne, Gaudet, Heath, Howell, Mason, Newport, Ogden, Orr, Perkins, Philips, Robertson, Rogers, Stille, Taylor, Voorhies and Winchester, had voted in the affirmative—26 yeas; and that Messrs. Brewer, Claiborne, Fourchon, Garrigues, Benjamin, McRae, O'Brien and Wilson, had voted in the negative—7 nays.

Said section was consequently laid on the table indefinitely.

On motion of Mr. Benjamin, said bill was referred to a Select Committee of 3 persons, with instructions to report a bill providing for the punishment of persons engaged in duels, either as principal or accessories, the report to be made on Saturday next, and to be the special order of the day, immediately after reading the journal; and provided, that if the House does not sit on Saturday next, said report shall be made the special order of the day for Monday next, 20th instant.

The Speaker appointed Messrs. Philips, Benjamin and Hunt, on said Committee.

Mr. Voorhies, on behalf of the Committee on Enrolment, reported as duly enrolled the following bills and resolutions:—

A resolution, ordering the Jailor of the Parish of Orleans to deliver up, on the warrant of the Executive or of the authorities of the Republic of Texas, certain prisoners now in his custody, accused of mutiny and murder.

A resolution, directing the State Engineer to do certain works on Bayou Grosse Tête, in the Parish of Iberville.

An act supplementary to the several acts, authorizing the erection of a toll bridge across the Amite River.

An act relative to appeals and nullities of judgments.

An act to amend the article 3,184 of the Civil Code, and

An act to form a new parish to be called the Parish of Tensas.

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

ORDERS OF THE DAY.

The House took up the amendments of the Senate to the bill, entitled:

An act to increase the revenue of the State, which was reported this morning, by the Committee of Retrenchment and Reform, recommending the adoption of the same, with amendments to the amendments of the Senate.

Said bill so reported, being made the special order of the day for this day.

On the motion to disagree to the amendments of the Senate to the 3d section, which requires that the fees and other emoluments accruing to each officer during the year preceding his annual report of the 1st December, shall be applied as follows, in lieu of collected by each officer, &c.

Mr. Brewer called for the yeas and nays; when it appeared, that Messrs. Bayliss, Benjamin, Brant, Brashear, Broussard, Clark, Culbertson, Delassus, Gaudet, Hunt, Ledoux, McNeil, McRae, Mason, Newport, Ogden, Orr, Perkins, Philips, Rogers, Stille, Taylor, Voorhies, Walworth, Wilson and Winchester, had voted in the affirmative—26 yeas; and that Messrs. Brewer, Claiborne, Courvillion, Heath, Morgan, O'Bryan and Ratliff had voted in the negative—7 nays.

Said section was consequently adopted.

Several amendments of the Senate to said bill having been concurred in with amendments, during the discussion of the 10th section,

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

TUESDAY, 14th MARCH, 1843.

The House met agreeably to adjournment.

On motion, leave of absence for a few days was granted to Mr. Stille.

On motion, the rules were dispensed with, and the house resumed the consideration of the Senate's amendments to the bill, entitled:

An act to increase the revenue of the State, which were under discussion, when the house adjourned the before yesterday. Several amendments having been concurred in, with supplementary amendments; and the 10th section being under consideration,

Mr. Winchester moved to amend the 10th Section, so as to fix the salaries of the District Judges, except the First District, to $2,500 per annum.

On the adoption of said motion, Mr. Brewer called for the yeas and nays, when it appeared, that Messrs. Allen, Benjamin, Boudousquie, Bordelon, Brant, Brewer, Claiborne, Clark, Courvillion, Culbertson, Delassus, Farmer, Foley, Fortenne, Heath, Howell, Hunt, Mason, Nicholls, Ogden, Orr, Ratliff, Robertson, Rodgers, Stille, Thibodeaux, of Terrebonne, Voorhies, Walsworth and Wilson, had voted in the affirmative—26 yeas; and that Messrs. Brashear, Brewer, Coffer, Edwards, Fluker, Guitteau, Heath, McRae, Newport, Perkins, Sentur, Selby and Wilson, had voted in the negative—13 nays.

Said amendment was consequently carried.

During the further discussion of said amendments, on motion, said bill was made the order of the day for the call of the house; and Mr. Benjamin moved to postpone the discussion of the rules, introduced, without previous notice, the bill, entitled:

An act to provide for the payment of the expenses of the Judiciary in New Orleans, and for other purposes, which was read for the first time; and the rules having been dispensed with, underwent a second reading, and several sections having been adopted on the second reading, a substitute offered by Mr. Brewer to the first section. On motion, the rules were dispensed with, and said bill was read a third time.

On motion, ordered that said bill do pass under the following title:

An act to make it the duty of the Parish Judges in certain cases to authorize married women to institute suits, and for other purposes.

By a message from the Senate, by Mr. Davis, their Secretary, the concurrence of the House is requested to a resolution, requesting the Governor to apply to the General Government, for the quota of Muskets, &c., due the State under the laws of the United States, and to the bill, entitled:

An act to increase the salary of the Auditor of Auction sales.

By the same message, the House was informed that the Senate had concurred with amendments to the bill, entitled:

An act to amend article 3,333 of the Civil Code.

The concurrence of the House is requested to said amendments.

On motion, the rules were dispensed with, and the house took up the resolution from the Senate, requesting the Governor to apply to the General Government for the quota of muskets, &c. due the State under the laws of the United States, which was read for the first time; and the rules having been dispensed with, it underwent a second reading, said resolution was adopted, with amendments.

The Clerk was directed to inform the Senate thereof, and request their concurrence in said amendments.

On motion, the rules were dispensed with, and the house took up the amendments of the Senate to the bill, entitled:

An act to amend an act, entitled, An act to provide a fund for the support of the Charity Hospital of the City of New Orleans, approved 26th March, 1842.

Said amendments having been concurred in, on motion, the Clerk was directed to inform the Senate thereof.

By a message from the Senate, by Mr. Davis their Secretary, the House was informed that the Senate had concurred in the bill entitled:

An act granting to Samuel Bush the exclusive privilege of keeping a ferry across the Mississippi river at or near the plantations of Zenon Porche and Madame H. Hestis, in the Parishes of Pointe Coupée and West Feliciana.

Which was read for the first time, and, on motion, referred to the Committee on Retrenchment, with instructions to report on Friday next, and the report to be made the special order of the day for that day.

On motion, the rules were dispensed with, and the House took up the bill from the Senate, entitled:

An act granting to Samuel Bush the exclusive privilege of keeping a ferry across the Mississippi river at or near the plantations of Zenon Porche and Madame H. Hestis, in the Parishes of Pointe Coupée and West Feliciana.

Which was read for the first time, and the rules having been dispensed with, it underwent a second reading and passed.

On motion, said petition was referred to a Special Committee of three members.

The Speaker appointed Messrs. Voorhies, Heath and Bordelon, on said Committee.

On motion, the rules were dispensed with, and the House took up the amendments of the Senate to the bill, entitled:

An act to incorporate the Trustees of the Methodist Episcopal Church at Carrollton in the Parish of Jefferson.

The Speaker decided that the delegates of Orleans could not under the rules of the House, vote on the question of the amendments.

During the discussion on motion the House adjourned until to-morrow, at 10 o'clock, A. M.

WEDNESDAY, 15TH MARCH, 1843.

The house met agreeably to adjournment.

On motion, leave of absence for a few days was granted to Mr. Sentur.

On motion, the rules were dispensed with, and the house resumed the consideration of the Senate's amendments to the bill, entitled:

An act to increase the revenue of the State, which were under discussion, when the house adjourned the before yesterday. Several amendments having been concurred in, with supplementary amendments; and the 10th Section being under consideration,

Mr. Winchester moved to amend the 10th Section, so as to fix the salaries of the District Judges, except the First District, to $2,500 per annum.

On the adoption of said motion, Mr. Brewer called for the yeas and nays, when it appeared, that Messrs. Allen, Benjamin, Boudousquie, Bordelon, Brant, Brewer, Claiborne, Clark, Courvillion, Culbertson, Delassus, Farmer, Foley, Fortenne, Heath, Howell, Hunt, Mason, Nicholls, Ogden, Orr, Ratliff, Robertson, Rodgers, Stille, Thibodeaux, of Terrebonne, Voorhies, Walsworth and Wilson, had voted in the affirmative—26 yeas; and that Messrs. Brashear, Brewer, Coffer, Edwards, Fluker, Guitteau, Heath, McRae, Newport, Perkins, Sentur, Selby and Wilson, had voted in the negative—13 nays.

Said amendment was consequently carried.

During the further discussion of said amendments, on motion, said bill was made the order of the day for the call of the house; and Mr. Benjamin moved to postpone the discussion of the rules, introduced, without previous notice, the bill, entitled:

An act to provide for the payment of the expenses of the Judiciary in New Orleans, and for other purposes, which was read for the first time; and the rules having been dispensed with, underwent a second reading, and several sections having been adopted on the second reading; the rules were dispensed with, and a substitute offered by Mr. Brewer to the first section. On motion, the rules were dispensed with, and said bill was read a third time.

On motion, ordered that said bill do pass under the following title:

An act to make it the duty of the Parish Judges in certain cases to authorize married women to institute suits, and for other purposes.

By a message from the Senate, by Mr. Davis, their Secretary, the concurrence of the House is requested to a resolution, requesting the Governor to apply to the General Government, for the quota of Muskets, &c., due the State under the laws of the United States, and to the bill, entitled:

An act to increase the salary of the Auditor of Auction sales.

By the same message, the House was informed that the Senate had concurred with amendments to the bill, entitled:

An act to amend article 3,333 of the Civil Code.

The concurrence of the House is requested to said amendments.

On motion, the rules were dispensed with, and the house took up the resolution from the Senate, requesting the Governor to apply to the General Government for the quota of muskets, &c. due the State under the laws of the United States, which was read for the first time; and the rules having been dispensed with, it underwent a second reading, said resolution was adopted, with amendments.

The Clerk was directed to inform the Senate thereof, and request their concurrence in said amendments.

On motion, the rules were dispensed with, and the house took up the amendments of the Senate to the bill, entitled:

An act to amend an act, entitled, An act to provide a fund for the support of the Charity Hospital of the City of New Orleans, approved 26th March, 1842.

Said amendments having been concurred in, on motion, the Clerk was directed to inform the Senate thereof.

By a message from the Senate, by Mr. Davis their Secretary, the House was informed that the Senate had concurred in the bill entitled:

An act granting to James A. Ronaldson the privilege of keeping a ferry across the Mississippi river at Fontaineau.

By the same message the House was informed that the Senate had concurred with amendments in the bill entitled:

An act to incorporate the Louisiana Medico-Chirurgical Society, and in the

Resolution directing the State Engineer to have a levee constructed across Little Bayou Rouge, and a bridge constructed across the Duglumona.

The concurrence of the House is requested to said amendments.

Mr. Voorhies on behalf of the Committee of Enrolment, reported as having this day submitted to the approval and signature of the Governor, the following enrolled bill, entitled:

An act to amend An act, entitled An act to regulate the manner of holding election in the Parish of Washington, approved 14th March, 1836.

An act to amend An act entitled An act to incorporate the city of Lafayette, approved 1st of April, 1833; and the several acts amendatory thereto.

An act to change the mode of appointing Deputy Sheriffs.

An act to establish a Court of Errors and Appeals in Criminal Matters, and for other purposes.

An act to create and establish the Parish of De Soto and for other purposes.

The rules were again dispensed with, and passed.

An act to authorize the Payment of Arrears of Taxes, by James M. Wells, Sheriff of the Parish of Rapides.

He also informed the House, that the Committee on Enrolled Bills had examined the following enrolled bills and resolutions, and found the same correctly enrolled:

An act to amend the laws of this State, in relation to Bills of Exchange and Promissory Notes; and that the same had been signed by the appointment of a Committee of conference on the disagreement of the two Houses, on the bill, entitled: An act to increase the revenue of the State, to reduce the salaries of certain officers, and for other purposes.

And in An act to authorize the people of Carroll to select the Seat of Justice for said Parish, and to erect the Court House, Jail, and the public buildings thereto.

He requested the concurrence of the House in a bill, entitled:

An act to amend the act, entitled: An act for the organization of the Militia of the State, approved, March 19, 1842; and

An act to amend the act, entitled: An act to provide for the liquidation of the Banks, approved, March 14, 1842.

On motion, the Senate sat with closed doors.

The doors being opened, on motion of Mr. Walker, the Senate took up

Resolution instructing the State Engineer to do certain work on the route from Gordon's Landing, on Red River to the Prairie highland.

The rules were dispensed with, it passed to its second reading. On the adoption of the first section, which was in the following words:

Section 1st. Be it further enacted, &c., That the possession of a Bill of Exchange or Promissory Note, by any party to such note, shall be deemed *prima facie* evidence that such party is the proprietor of such bill or note, and entitled to sue and recover thereon, notwithstanding there may be endorsements in full, on reported unfavorably to said bill, moved to take up said bill.

His motion was carried, and the said bill underwent its 3d reading, and was amended.

On motion, the rules were dispensed with, said bill was read for the 3d time, and passed as amended.

Mr. Morse of the Committee of Enrolled Bills, reported the following bills and resolution, of the Senate, as correctly enrolled.

An act relative to the City of New Orleans.

An act granting to Samuel Beals, the exclusive privilege of keeping a ferry across the Mississippi River, at or near the plantation of Z. Pereira, and Mrs. H. Beals in the Parish of Pointe Coupée and West Feliciana.

And resolution requesting the Governor to apply to the General Government for the quota of muskets, &c., due the State under the laws of the United States.

And the Secretary requested the concurrence of the Speaker of the House, to the above recited bills and resolution.

He also informed the House of the concurrence of the Senate, with amendments to An act relative to the Parish of Orleans, and the Parish Courts of Louisiana.

Mr. Ledoux, the Governor's Private Secretary, delivered a message, in writing, from the Governor, as follows:

On motion of Mr. Hoa, the bill, entitled:

An act to dissolve the State into Congressional Districts, was made the special order of the day for Wednesday, 22d inst.

On motion, the rules were dispensed with, and the said bill passed.

On motion of Mr. Farmer, leave of absence for a few days was granted to Mr. Ratliff.

On motion of Mr. Hoa, the House took up the bill from the Senate, entitled:

An act to amend the act, entitled: An act to regulate the manner of holding elections in the Parish of Washington, approved 14th March, 1836; and

An act to amend an act entitled: An act to incorporate the City of Lafayette, approved April 1st 1833, and the several acts amendatory thereto.

ORDER OF THE DAY.

The House took up the report and resolution relative to the contested election of the delegation of Orleans, together with the report and resolution relative to the contested election of S. Brout, the member elect from the Parish of Terrebonne.

Which had been made the order of the day for this day.

During the discussion of said resolution,

Mr. Winchester moved to divide the same, so as to take the vote of the House on the case and right of sitting of each member of the delegation of Orleans, separately.

Which motion, on motion, was referred to a Special Committee of three members.

The Speaker appointed Messrs. Voorhies, Heath and Bordelon, on said Committee.

On motion, the rules were dispensed with, and the House took up the amendments of the Senate to the bill, entitled:

An Act to incorporate the Trustees of the Methodist Episcopal Church at Carrollton in the Parish of Jefferson.

And to amend an act entitled: An act to incorporate the Trustees of the Methodist Episcopal Church at Carrollton in the Parish of Lafourche Interior, and for other purposes.

Said bill was read for the first time;

On motion, the rules were dispensed with, it was read for the second time amended;

On motion, the rules were again dispensed with, it underwent its third reading and passed as amended.

An act to incorporate the Trustees of the Protestant Episcopal Church in the town of Thibodeauxville, in the Parish of Lafourche Interior, and for other purposes.

Said bill was read for the first time;

On motion, the rules were dispensed with, it was read for the second time amended;

On motion, the rules were again dispensed with, and the Secretary requested the concurrence of the House to the bill, entitled:

An act granting to James A. Ronaldson the privilege of keeping a ferry across the Mississippi river at Fontaineau.

Which was read for the first time, and the rules having been dispensed with, it underwent a second reading and passed as amended.

On motion, the rules were dispensed with, and the House took up the bill from the Senate, entitled:

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Which was read for the first time, and the rules having been dispensed with, it underwent a second reading and passed as amended.

On motion, the rules were dispensed with, and the House took up the amendments of the Senate to the bill, entitled:

An act to amend an act, entitled, An act to provide a fund for the support of the Charity Hospital of the City of New Orleans, approved 26th March, 1842.

Said amendments having been concurred in, on motion, the Clerk was directed to inform the Senate thereof.

By a message from the Senate, by Mr. Davis their Secretary, the House was informed that the Senate had concurred in the bill entitled:

An act granting to Samuel Bush the exclusive privilege of keeping a ferry across the Mississippi river at or near the plantations of Zenon Porche and Madame H. Hestis, in the Parishes of Pointe Coupée and West Feliciana.

Which was read for the first time, and, on motion, referred to the Committee on Retrenchment, with instructions to report on Friday next, and the report to be made the special order of the day for that day.

On motion, the rules were dispensed with, and the House took up the bill from the Senate, entitled:

An act granting to Samuel Bush the exclusive privilege of keeping a ferry across the Mississippi river at or near the plantations of Zenon Porche and Madame H. Hestis, in the Parishes of Pointe Coupée and West Feliciana.

Which was read for the first time, and the rules having been dispensed with, it underwent a second reading and passed as amended.

On motion, said petition was referred to a Special Committee of three members.

The Speaker appointed Messrs. Voorhies, Heath and Bordelon, on said Committee.

On motion, the rules were dispensed with, and the House took up the amendments of the Senate to the bill, entitled:

An act to incorporate the Trustees of the Methodist Episcopal Church at Carrollton in the Parish of Jefferson.

And to amend an act entitled: An act to incorporate the Trustees of the Methodist Episcopal Church at Carrollton in the Parish of Lafourche Interior, and for other purposes.

Said bill was read for the first time;

On motion, the rules were dispensed with, it was read for the second time amended;

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An act to amend an act, entitled, An act to provide a fund for the support of the Charity Hospital of the City of New Orleans, approved 26th March, 1842.

Said amendments having been concurred in, on motion,