OFFICIAL.

LOUISIANA LEGISLATURE.

Journal of the Senate.

WEDNESDAY, 13th February, 1850.

The Senate met agreeably to adjournment.

Present—Hon. James G. Bryce, President pro tem of the Senate in the chair.

Messrs Adams, Bebee, Boudousquie, Butler, Cade, Caulfield, Chambliss, Clark, Cole, Dauney, Drew, Dufour, Duncan, Gardere, Gaudet, Harrison, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Tatman, Van Wickle and Waddill.

Mr Boudousquie informed the Senate that the Hon J B. Planche, Lieutenant Governor, President of the Senate, was indisposed, and could not attend the Senate.

Mr Bryce, President pro tem, decided, that it was the President's privilege to absent himself when necessary.

Mr Ricker gave notice he would introduce:

An act to amend the first section of an act entitled an Act to provide for the draining and cleaning of the marshy grounds, and cypress swamps, situated between the city of New Orleans, as incorporated suburbs and Lake Pontchartrain, approved 19th March 1833.

On motion of Mr Butler, the Senate took up:

An act for the relief of Frances Veuve, and

An act for the relief of Antoine Toutoue, which were read for the second time, and adopted.

On motion, the rules were suspended, said bills underwent their 3d readings and passed.

On motion of Mr Van Wickle, the Senate took up An act to change the time of holding the Courts in the Parish of Pointe Coupee, which was read for the 2nd time, and was adopted.

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

Mr Butler, of the Committee on Claims, to whom was referred the memorial of S. Mouad, praying for a pension, reported

An act for the relief of Simon Mouad, a veteran of the late 1812, which was read for the first time.

On behalf of the same Committee, Mr. Butler reported favorably to

An act for the relief of Charles Janson and Joseph Janson, veterans of 1812.

An act for the relief of C. Chapin, and an act for the relief of Mathurin Bourg, sheriff of the parish of Lafourche Interior

These bills were read for the second time and were acted upon.

On motion the rules were suspended, said bills underwent their third readings and passed.

Mr Layet, Clerk of the House, informed the Senate that the House had appointed Mr. E. S. Sidmon assistant Clerk of the House of Representatives.

He also requested the concurrence of the Senate in a resolution, granting to the Washington Guards the use of the lower rounds of the Senate House, for the purpose of giving a ball to celebrate the 22d of February.

He also requested the signature of the President of the Senate to the enclosed bills, entitled:

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

An act to pay Isaac T. Preston.

He further informed the Senate that the Speaker of the House had signed the enrolled bills of the Senate entitled:

An act to create an additional Justice of the Peace for the Parish of Washington.

The President pro tem. signed this bill, and Mr Van Wickle, of the Committee on Enrollments, submitted the same to the Governor for his approval and signature.

Mr Sidmon, assistant Clerk of the House, requested the concurrence of the Senate in the following joint resolutions:

An act to provide for the appointment of two additional Notaries Public for the Parish of Orleans;

An act to create an additional Notary for the Parish of Carroll;

Resolution authorizing the Governor to cause and annul the bonds furnished by P. E. D. Livaudais, late State Treasurer;

Resolution fixing the salary of the Assistant State Engineer at two thousand dollars;

Resolution directing the State Engineer to examine and report upon the practicability and utility of making an outlet for the waters of the Lynnwhich in the vicinity of Lockport, or Bayou Lake, so as to prevent the inundation on the lower portion of said Bayou;

Resolution instructing the State Engineer to complete the work on Little River;

An act to change the terms of the Court, in the 13th Judicial District of the State of Louisiana;

An act to authorize the Governor of the State to appoint a Notary Public in the Parish of Franklin;

A bill for the relief of John Perkins.

Mr Dufour, of the Select Committee, to whom was referred:

An act to further authorize the establishment and keeping in command of Heroes of Refuge, by the Municipalities of the city of New Orleans, reported favorably to said bill, which was read for the second time.

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

Mr. Segur, of the Committee on the Judiciary, reported

An act to provide for and regulate the office of Attorney General, which was read for the first time.

On motion, the rules were suspended, the second reading of said act was ordered, and

Mr. Dufour proceeded to an amendment to the first section of said bill.

Mr Van Wickle presented an amendment to Mr Dufour's amendment, pending the discussion of which,

On motion of Mr Boudousquie, the further consideration of the subject was postponed, subject to call, and the bill was ordered to be printed.

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

Resolved, That the Committee on Public Education be instructed to consider the propriety of reporting an ordinance to the School Board of the parish of Iberville for the years 1847 and 1848, and report a bill for such relief to that parish as may be just and proper.

Mr Drew also introduced the following resolution, which was read and adopted.

Resolved, That the Committee on the Judiciary be instructed to take into consideration the question, whether or not foreign judgments should be prescribed in the State in the same length of time that the evidence upon which said judgment was obtained in another State, would be prescribed by the laws of this State and to report by bill or otherwise.

Mr Drew obtained leave to introduce—An act to appropriate a sum of money for the purchase of Books to the Offices of Clerk and Recorder in the parish of Claiborne, which was read for the first time.

On motion, the rules were suspended, said bill was taken up at its second reading, and was referred to the Committee on Finance.

Mr Butler obtained leave to introduce—An act to amend an act entitled an act to organize District Courts in the State of Louisiana, except in the parishes of Orleans and Jefferson, approved 30th May, 1846, which was read for the first time.

On motion, the rules were suspended, said bill was taken up at its second reading, and was referred to the Committee on the Judiciary.

Agreeably to notice previously given, Mr Ray introduced

An act to improve the navigation of the Boyd River, and

An act for the improvement of the Bayou Dardenne.

Which were read for the first time.

On motion, the rules were suspended, said bills underwent their second readings and passed.

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

Mr. Segur, of the Committee on the Judiciary, reported

An act to provide for and regulate the office of Attorney General, which was read for the first time.

On motion, the rules were suspended, the second reading of said act was ordered, and

Mr. Dufour proceeded to an amendment to the first section of said bill.

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An act to provide for and regulate the office of Attorney General, which was read for the first time, and was

On motion, made the special order of the day for Tuesday next, and was also ordered to be printed.

On behalf of the Select Committee, to whom was referred:

An act to amend article 644 of the Code of Practice, in order to exempt from seizure, a homestead to the inhabitants of this State,

Mr Moore reported as a substitute to said bill:

An act to exempt from seizure, a homestead to the inhabitants of this State,

Which was read, ordered to be printed, and made the special order of the day for Tuesday next.

Mr Phillips obtained leave to introduce the following resolution, which was read for the first time:

Resolved, That the Senate and House of Representatives will adjourn *sine die*, on Monday the 4th day of March next.

Mr. Weldill obtained leave to introduce—An act for the relief of Jerome Colligan, Sub-Commissioner of Public Schools for the Parish of Plaquemines, which was read for the first time.

On motion, the rules were suspended, said bill underwent its 3d reading and was ordered to be sent up to the House for concurrence, and was referred to the Committee on Claims.

SPECIAL ORDER OF THE DAY.

On motion of Mr. Ray, the resolutions reported by the Committee on Federal Relations, on the subject of slavery, which were the special order of the day for this day, were made the special order of the day for to-morrow, at 12 o'clock, M.

On motion, the Senate resumed the consideration of the resolutions proposing amendments to the Constitution, reported by the Committee on amendments to the Constitution:

The 13th article of said amendments, which is as follows, was read:

Art. 13th. In all elections by the people, every free white male citizen, who has been two years a citizen of the United States, who has attained the age of twenty-one years, and resided in the State one year next preceding the election, and the last six months in the Parish in which he offers to vote, shall have the right of voting.

Messrs. Segur and Swayze withdrew their amendments to said 13th article.

On motion of Mr Ray, the foregoing article was amended by striking out after the words, "*free white male who has been*," the words "*two years*," and substituting in their place words "*one year*," and further, by inserting after the words, "*and the last six months*," the words "*thereof*."

On the adoption of this article as then amended,

Hon. Jas. G. Bryce, President, pro tem, in the Chair,

Messrs. Bryce, Adams, Bebe, Boudousquie, Butler, Cade, Caulfield, Chamblios, Clark, Cole, Dauney, Drew, Dufour, Duncan, Gaudet, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Tatman, Van Wickle and Waddill, voted in the affirmative—26 yeas.

Messrs. Harrison and Gardere, absent on leave—2 members.

Mr. McWhorter, resigned—1 member.

On motion of Mr. Ray, the Senate reconsidered the following, which is the 11th article:

Art. 11th. The Chief Justice and Associate Justices of the Supreme Court and Judges of the District Courts shall each receive a salary to be fixed by law, which shall not be increased or diminished during their term of office.

Art. 12th. In all elections by the people every free white male, who has been one year a citizen of the United States, who has attained the age of twenty-one years, and resided in the State one year next preceding the election, and the last six months thereof in the parish in which he offers to vote, shall have the right of voting.

And Messrs. Boudousquie, Clark, Duncan, Gardere, Ricker, and Tatman, voted against it—7 nays.

The constitutional majority having voted in favor of said 11th article, it was adopted.

On motion of Mr. Ray, the rules were suspended, and said Resolutions, which are as follows, as amended, were voted for the third time.

Be it Resolved, &c. Three fifths of the members of each house, concurring therein, that the following be adopted and proposed to the people, as amendments to the Constitution:

AMENDMENTS TO THE CONSTITUTION.

Article 1st. The Chief Justice and Associate Justices of the Supreme Court, shall be elected by the electors qualified to vote for representatives to the General Assembly, either by general ticket or by districts as may be determined by law.

Art. 2d. The Chief Justice and Associate Justices of the Supreme Court shall be elected for a term of four years, and at the first meeting of the Supreme Court, after this amendment to the Constitution takes effect, the Associate Justices shall be divided by lot into two classes; the seats of two of the Associate Justices shall be vacated at the expiration of two years, and the seat of the Chief Justice and of the third Associate Justice, at the expiration of four years, so that a rotation may be kept up perpetually.

Art. 3d. The Judges of the District Courts shall be elected in their respective districts by the electors therein qualified to vote for representatives to the General Assembly.

Art. 4th. The Judges of the District Courts shall be elected for a term of four years.

Art. 5th. The District Attorneys shall be elected in their respective districts for a term of two years by the electors therein qualified to vote for representatives to the General Assembly throughout the State.

Art. 6th. An Attorney General shall be elected for a term of two years by the electors qualified to vote for representatives to the General Assembly throughout the State.

Art. 7th. A Secretary of State shall be elected for a term of two years, by the electors qualified to vote for representatives to the General Assembly throughout the State.

Art. 8th. A State Treasurer shall be elected for a term of two years by the electors qualified to vote for representatives to the General Assembly throughout the State.

Art. 9th. A State Superintendent of Public Education shall be elected for a term of two years by the electors qualified to vote for representatives to the General Assembly throughout the State.

Art. 10th. If in the election of Chief Justice, Associate Justices of the Supreme Court, Judges of the District Courts, Attorney, General, District Attorneys, Secretary of State, State Treasurer and State Superintendent of Public Education, two or more persons shall be equal and highest in the number of votes polled for any of the above-named offices, it shall be the duty of the Governor, by proclamation, so to declare it; and immediately to select between the two or more persons equal and the highest number of votes polled, and commission him to fill the office for which he shall be thus chosen.

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And Messrs. Boudousquie, Butler, Caulfield, Chamblios, Cole, Dauney, Drew, Dufour, Gaudet, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Sigur, Swayze, Van Wickle and Waddill, voted for its adoption—22 yeas.

And Messrs. Boudousquie, Clark, Duncan, Gardere, Ricker, and Tatman, voted against it—7 nays.

The constitutional majority having voted in favor of said 11th article, it was adopted.

On motion of Mr. Ray, the rules were suspended, and said Resolutions, which are as follows, as amended, were voted for the third time.

Be it Resolved, &c. Three fifths of the members of each house, concurring therein, that the following be adopted and proposed to the people, as amendments to the Constitution:

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Mr Ray moved that said 11th article be adopted.

Mr Bryce in the chair.

Messrs Adams, Beebe, Boudousquie, Butler, Cade, Caulfield, Chamblios, Cole, Dauney, Drew, Dufour, Duncan, Gardere, Gaudet, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Ricker, Sigur, Swayze, Tatman, Van Wickle and Waddill, voted for its adoption—22 yeas.

Messrs. Bryce, Beebe, Boudousquie, Butler, Cade, Caulfield, Chamblios, Cole, Dauney, Drew, Dufour, Duncan, Gardere, Gaudet, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Sigur, Swayze, Tatman, Van Wickle and Waddill, voted for its adoption—22 yeas.

And Messrs. Boudousquie, Clark, Duncan, Gardere, Ricker, Sigur, Swayze, Tatman, Van Wickle and Waddill—9 members.

Messrs Lacoste and Thibodeaux absent on leave—2 members.

Mr. McWhorter, resigned—1 member.

On motion of Mr. Ray, the Senate reconsidered the following, which is the 11th article:

Art. 11th. The Chief Justice and Associate Justices of the Supreme Court and Judges of the District Courts shall each receive a salary to be fixed by law, which shall not be increased or diminished during their term of office.

Art. 12th. In all elections by the people every free white male, who has been one year a citizen of the United States, who has attained the age of twenty-one years, and resided in the State one year next preceding the election, and the last six months thereof in the parish in which he offers to vote, shall have the right of voting.

And Messrs. Boudousquie, Clark, Duncan, Gardere, Ricker, Sigur, Swayze, Tatman, Van Wickle and Waddill, voted for its adoption—22 yeas.

And Messrs. Boudousquie, Clark, Duncan, Gardere, Ricker, and Tatman, voted against it—5 nays.

The constitutional majority having voted in favor of said 11th article, it was adopted.

On motion of Mr. Ray, the rules were suspended, and said Resolutions, which are as follows, as amended, were voted for the third time.

Be it Resolved, &c. Three fifths of the members of each house, concurring therein, that the following be adopted and proposed to the people, as amendments to the Constitution:

AMENDMENTS TO THE CONSTITUTION.

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Mr Ray moved that said 11th article be adopted.

Mr Bryce in the chair.

Messrs Adams, Beebe, Boudousquie, Butler, Cade, Caulfield, Chamblios, Cole, Dauney, Drew, Dufour, Duncan, Gardere, Gaudet, Haralson, Hereford, Moore, Peck, Phillips, Ray, Richardson, Sigur, Swayze, Tatman, Van Wickle and Waddill, voted for its adoption—22 yeas.

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And Messrs. Boudousquie, Clark, Duncan, Gardere, Ricker, and Tatman, voted against it—7