

Supplement to the Bee.

FRIDAY MORNING, FEBRUARY 6, 1835.

State of Louisiana

TWELFTH LEGISLATURE—1st Session

JOURNAL

OF THE HOUSE OF REPRESENTATIVES.

Thursday, Jan. 22, 1835.

The House met agreeably to adjournment. Mr. Augustin presented a memorial of the Chamber of Commerce of New Orleans, praying for a change of the laws relative to the harbor master and port wardens; and offered the following resolution:

Resolved, that the petition of the Chamber of Commerce for a change in the laws in relation to the harbor master and port wardens be referred to the Committee of Commerce; and that said committee have the right to summon all witnesses to appear before them, in order to obtain all the testimony which may enable the House to render justice to the parties concerned, as well as to the public.

On motion, ordered that said resolution be adopted.

Mr. Daniels offered the following resolution:

Resolved, That the President of the Senate and the Speaker of the House of Representatives be authorized to adjourn their respective Houses sine die on the first Monday of March next.

Which resolution was read for the first time, and ordered for a second reading on to-morrow.

Mr. Winn offered the following resolutions:

Be it resolved by the Senate and House of Representatives, &c.

That the joint committee appointed by both Houses of the general assembly, to investigate the affairs of the several banks, be instructed to continue their several principal banks have furnished their branches with the amount of capital allowed for such branches, by the charters of said principal banks; at what dates the same was furnished; if the whole amount has not been furnished, what amount; if any branch shall not have been furnished with the whole amount, as above stated, said committee are instructed to inquire into the causes of the failure to do so; and that said committee report to both Houses on all said points, and that the committee of the Union Bank be instructed to examine and report if the bonds of the said Union Bank are all sold, and for what amount; and whether they have been mortgaged or pledged the same, and for what amount.

Res. 2. Be it further &c. That the chairman of each of said committees, be furnished with a copy of these resolutions.

Which resolutions were read for the first time, and ordered for a second reading on to-morrow.

On motion, the House having dispensed with their rules, said resolutions underwent a second reading.

On motion, ordered, that the same be adopted.

The clerk was directed to request the concurrence of the Senate in said resolutions.

Mr. Lavergne offered the following resolution:

Resolved, That the secretary of state be authorized to make his report on the situation of the public schools, generally, the duties imposed on him by the act supplementary to the several acts relative to public education, approved April 1, 1833.

On motion, ordered, that said resolution be adopted.

Mr. A. D. Williams, chairman of the committee of education, reported as follows:

The resolution proposed in the year 1834, relative to the duties of the secretary of state, in relation to the public schools, has been made, which resolution emanated from the Senate.

The speaker signed the same.

The clerk was directed to inform the Senate thereof, and to return said resolutions to that body.

Mr. Lewis, chairman of the committee on claims, to whom was referred the memorial of Lewis Hebert, of the parish of Lafayette, made the following report, to wit:

The committee on claims, to whom has been referred the memorial of Louis Hebert, of the parish of Lafayette, beg leave respectfully to report:

That your committee have taken the said memorial into consideration, and from the best investigation into it, they have been able to give to the same, the majority of your committee are of opinion that the claims of the memorialist are well founded in equity, and supported by the soundest principles of justice.

Your committee are of opinion that every man who has been deprived of the physical powers necessary for him to gain an honest livelihood by his own labor, while fighting the battles of his country, is fairly entitled to a comfortable support from that country, during the remainder of his natural life. To deny this would be to take from every citizen one of the most powerful motives to exertion for the common defence in times of invasion; and would, in the opinion of your committee, present a strong inducement for neglecting one of the most sacred duties of every freeman.

Your committee entertaining these views, and being satisfied that the memorialist lost the use of one of his arms in defending the American lines below New Orleans, in the campaign of 1814—15, and that he is now in indigent circumstances, have thought it their duty to report to the House, a bill entitled 'An act for the relief of Lewis Hebert, of the parish of Lafayette,' which is respectfully submitted.

T. H. LEWIS,

Chairman of said Com.

Which report was, on motion, adopted.

And introduced a bill entitled 'An act for the relief of Lewis Hebert, of the parish of Lafayette, which was read for the first time, and ordered for a second reading on to-morrow.

The same member, on behalf of the same committee, to whom was referred the petition of M. Williamson, made the following report:

The committee on claims, to whom has been referred the petition of Matthias Williamson, respectfully report: That they have taken the same into consideration, and from the petitioner's own showing, they are unanimously of opinion that he is not entitled to the relief sought. Your committee are unable to perceive upon what principle of right or equity the petitioner can expect the state to refund to him the expenses he may have incurred in defending suits that have been instituted against him by other citizens, who have not claims for damages against him. It is true, he may have been wrongfully sued, and put to costs improperly; but if such claims as his shall ever be allowed and paid by the state, every officer of the state may with equal propriety call on the public for aid, whenever he may be sued for acts either tortious in themselves, or thought to be so by those who may think proper to institute such suits.

Your committee are therefore compelled by a sense of duty to report adverse to the claims of said petitioner, and to pray to be discharged from the further consideration thereof; all which is respectfully submitted.

T. H. LEWIS,

Chairman of said Com.

On motion, ordered that the said report be adopted.

The same member, on behalf of the same committee, to whom was referred the memorial of M. P. Carroll, made the following report, to wit:

The committee on claims, to whom has been referred the petition of M. P. Carroll, has the honor to report to the House that your committee have taken the same into consideration, and from the petitioner's own showing, they are unanimously of opinion that he is not entitled to the relief sought. Your committee are unable to perceive upon what principle of right or equity the petitioner can expect the state to refund to him the expenses he may have incurred in defending suits that have been instituted against him by other citizens, who have not claims for damages against him. It is true, he may have been wrongfully sued, and put to costs improperly; but if such claims as his shall ever be allowed and paid by the state, every officer of the state may with equal propriety call on the public for aid, whenever he may be sued for acts either tortious in themselves, or thought to be so by those who may think proper to institute such suits.

Your committee are therefore compelled by a sense of duty to report adverse to the claims of said petitioner, and to pray to be discharged from the further consideration thereof; all which is respectfully submitted.

T. H. LEWIS,

Chairman of said Com.

On motion, ordered that said report be laid on the table, and that the petition and documents thereon be referred to the committee on propositions and grievances.

A message was received from the Senate, by Mr. Davis, their secretary, informing the House that the Senate had concurred in the bill entitled 'An act to incorporate the New Orleans and Nashville Railroad Company.'

By the same message, the House is informed of the concurrence of the Senate in the amendment made by the House, in the resolution relative to the Orleans Navigation Company.

By the same message, the House is informed of the concurrence of the Senate in the resolution addressed to our senators and representatives in Congress, relative to the clearing of Red River.

Mr. Halle, chairman of the committee on elections, made the following report, to wit:

The committee on elections beg leave to make the following report: That having examined the certificates, and the returns made to the office of the Secretary of State, and those certificates in the possession of members, they find the following members duly elected to this House:

J. S. Armand, F. B. Ory, for the parish of St. James; W. Augustin, Wm. Debuss, S. D. Dixon, J. P. Freret, F. Labadie, E. Montegut, A. Ducros, for the parish of Orleans; F. Bickham, for the parish of Washington; D. Bionven, for the parish of St. Martin; W. Brashear, for the parish of St. Mary; F. Braux, J. L. Daniel, for the parish of Lafayette; B. B. Breazeale, J. Sibley, for the parish of Natchitoches; B. Wilson, for the parish of Claiborne; W. B. Broad, for the parish of Livingston; E. L. Briggs, R. Winn, for the parish of Rapides; E. Brown, T. Lawson, for the parish of East Feliciana; T. G. Davidson, for the parish of St. Helena; P. A. Delachaise, for the parish of Jefferson; J. Davenport, A. N. Ogden, for the parish of East Baton Rouge; M. P. Dossou, for the parish of Catahoula; G. A. Ducros, for the parish of St. Bernard; A. Guibet, W. H. Sparks, for the parish of Assumption; R. Halle, Wade H. Richardson, for the parish of West Feliciana; J. Jautfron for the parish of Point Coupee; M. Lambremont, for the parish of Iberville; A. Landry for the parish of Ascension; T. H. Lewis, C. Lavergne, A. Nerant, for the parish of St. Landry; V. Patin, for the parish of West Baton Rouge; J. M. Patten, for the parishes of Carroll and Comberdine; M. Penn, for the parish of St. Tammany; W. A. Sheldon; A. B. Thibodeaux; J. McCallister, for the parish of Lafourche Interior; H. C. Thibodeaux, for the parish of Terrebonne; H. M. Dry, for the parish of Ouachita; F. Roussel, for the parish of St. John Baptiste; A. Labranche, for the parish of St. Charles; E. Milligan, for the parish of Plaquemine.

(Signed) R. HALLE, Chairman.

On motion, ordered, that said report be adopted.

Mr. Sibley gave notice that he will shortly introduce a bill, entitled 'An act to incorporate the Natchitoches steam boat company.'

Mr. Penn gave notice that he will shortly introduce a bill entitled 'An act to amend the 11th article of the civil code of the state of Louisiana, approved February 9, 1824.'

Mr. Freret, agreeably to previous notice, introduced a bill entitled 'An act to amend an act incorporating the Louisiana Insurance Company, which was read for the first time, and ordered for a second reading on to-morrow.'

Mr. Lewis, agreeably to previous notice, introduced a bill entitled 'An act relative to the duties of overseers of public works,' which was read for the first time, and ordered for a second reading on to-morrow.

Mr. Hickman, agreeably to previous notice, introduced a bill entitled 'An act to amend the several acts relative to the election precincts in the parish of Washington,' which was read for the first time, and ordered for a second reading on to-morrow.

Mr. Dixon gave notice that he will shortly introduce a bill entitled 'An act to alter the 5th section of an act to amend the several acts to incorporate the city of New Orleans, and for other purposes, approved March 9, 1827.'

Mr. Lawson, agreeably to previous notice, introduced a bill entitled 'An act to annex the parish of Livingston to the 3d, and the parish of East Feliciana to the 8th Judicial Districts, in order to equalize the labor of the judges of said Districts, and for other purposes,' which was read for the first time, and ordered for a second reading on to-morrow.

Mr. Milligan gave notice that he will shortly introduce a bill, entitled 'An act to divide the parish of Assumption into districts of election and for other purposes.'

ORDER OF THE DAY.

The following bills were read for the second time, and ordered for a third reading on to-morrow, to wit:

'An act for the relief of Lewis Hebert' of the parish of Lafayette.

'An act relative to the duties of overseers of public works.'

'An act to amend the several acts relative to the election precincts in the parish of Washington.'

'An act to amend an act incorporating the Louisiana Insurance Company.'

The House took up the bill entitled 'An act to authorize the State Treasurer to pay a certain amount of money to the sheriff of the parish of St. Landry.'

On motion, ordered that the same be laid on the table.

The clerk was directed to request the concurrence of the Senate in said bill.

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The resolution fixing the adjournment sine die of both Houses to the first Monday of March was taken up.

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The resolution fixing the adjournment sine die of both Houses to the first Monday of March was taken up.

On motion, ordered that the same be laid on the table.

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

The House then adjourned until Monday at 10 o'clock, A. M.

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