OFFICIAL.

LOUISIANA LEGISLATURE

Official Report of the Proceedings of the House of Representatives.

THURSDAY, February 19, 1852.

The House met pursuant to adjournment, present members present.

The journal having been read, Mr. Lumsden rose to state that last week when the vote on the retrenchment bill was taken, he was absent in consequence of the serious indisposition of one of the members of his family. He now desired with the consent of the House, to record his vote in favor of that measure.

Permission was granted, and the same privilege was also allowed to Mr. Ryan, who recorded his vote in the affirmative.

The speaker laid before the House a communication from the Adjutant General, in answer to a resolution of the House. Referred to the Committee on Militia.

Also a communication from the Governor, transmitting a copy of a letter from the Governor of Kentucky, relative to the voluntary system of inspection of flour and tobacco in the city of New Orleans. Referred to the Committee on Commerce.

PETITIONS AND MEMORIALS.

Mr. Lathrop. Petition of the society for the relief of destitute females.

Petition of the Chamber of Commerce of New Orleans.

Mr. Solomon. Petition of some 1500 citizens of the Third Municipality protesting against the incorporation of Lafayette into the city of New Orleans.

Mr. Campbell. Petition of the Mayor of the city of New Orleans in relation to certain monies advanced during and after the overflow. Referred to Committee on Finance.

Mr. Lathrop. Communication from the Second Municipality Council, with resolution in reference to consolidation and the annexation of Lafayette. The gentleman moved that it be referred to a select committee to be composed of the delegation from New Orleans.

Mr. Meehan was in favor of so referring it provided the delegation would act on this matter as well as on the other communications in reference to the same subject. He felt satisfied however that it would be more that time to dispose of it in this way. As a substitute he moved that it be referred to a committee to be composed of three members from each municipality in the city of New Orleans.

Mr. Lacoste stated that it would be referred as the original mover desired, and would ask that the committee be instructed to report to the House tomorrow.

The motion was seconded to, whereupon Mr. Payne moved to refer all the documents on the subject from the other municipalities to the same committee, which was carried.

Mr. Lumsden. Resolution authorizing the Treasurer to pay on the warrant of the Auditor to John B. Leeds $50 being for mileage and per diem allowed him while conducting a section of a House. Referred to finance committee.

Mr. Day. Joint resolution providing that the police juries of the several parishes shall appoint the commissioners provided by law in the month of April, 1852, and shall appropriate the amounts accruing to school districts, and which the same are entitled to in their respective parishes to the education of the youth thereof as may hereafter be provided for in a school system, which shall be enacted and approved by thinor a subsequent Legislature. Referred.

Mr. Ranney. Joint resolutions instructing our Senators and Representatives in Congress to obtain an appropriation for improvement of a harbor or harbors of refuge and such amounts of proper purpose as may on the great North East and Gulf coasts of the United States of Alabama, Mississippi, or Louisiana, to which the levees and property now exposed may be subject to a total overflow, and to which the opportunity of removing and staking out of levees and passes over the middle ground of Lake Pontchartrain and along the Bay of St. Louis, Pass Christian and Biloxi, and that the Pass Christian and Biloxi, connecting the gulf of Mexico with Mobile Bay, be purchased by the United States Government, in order to relieve the malfeasance to the annual tax of $10,000 per annum now paid, and also for the purpose of relieving the general commerce of the three above named States, and the heavy burthen which it now suffers. The resolutions further recommend an appropriation for dredging out a channel, ten and passes to a depth of ten feet of water, by which the whole coastwise trade of the gulf of Mexico from the point of Florida to the Rio Grande, will be benefitted. Further, that a harbor of refuge be established at the mouth of the New Orleans termination of the navigable for the protection of the steamers and other vessels navigating Lake Pontchartrain, at the foot of Algiers. First reading.

The speaker laid before the House a communication from the Governor transmitting the report from the Superintendent of the Asylum for Deaf and Dumb at Danville Kentucky.

REPORTS FROM STANDING COMMITTEES.

Mr. Carroll, chairman of the judiciary committee, reported under rule 24 the following bills

A bill to repeal that part of the act of 1846 that imposes a tax on attorneys at law and physicians.

A bill to exempt certain property from distress.

An act to repeal article 2308 of the civil code.

Resolution to inquire into the constitutional and legal expediency of abolishing the license tax. Account of the unexpended limits of cities.

Also a bill to exempt from an sale and seizure all the Homestead of a householder that has children, and to extend the exemption from seizure at a sale on execution of personal property, such debts to the value of $250 and of the wearing apparel and necessaries for professional men to an amount sufficient to support a debtor and his family.

Corresponding unfavorably on the latter Mr. Carroll remarked that the committee was opposed to the particular provisions of this bill, but was at the same time in favor of the general principles of such an act.

The same gentleman reported the bill entitled An act to prohibit card playing in this State.

On the 1st article he asked a reference to some Revised Penal Code and Criminal Code.

Now ordered.

Mr. Lacoste on behalf of the same committee, to whom was referred the resolution instructing the committee to inquire why the act to amend an act to provide for taking the census of the State of the proposed amendments to the constitution reported by bill under the title An act to provide for the manner of taking the census of the people upon certain amendments to the constitution, which passed the General Assembly in 1850 and 1852.

Made on behalf of the committee on Federal Relations to whom was referred a joint resolution to obtain an appropriation from Congress to remove the Red River Raft, reported favorably on the same.

Mr. Williamson, on behalf the Committee on Militia, to whom was referred an act to exempt the officers and privates of the Orleans Battalion Artillery, and of the Orleans Guards, and also to repeal the eighth and thirteenth sections of the militia law approved 21st March, 1850, reported an act to repeal the first mentioned act of the militia law approved March 20, 1848, and to repeal the 8th and 13th sections of the militia law approved March 21st, 1850, and to amend the 1st section of the militia law approved March 20, 1848, and to repeal the 8th and 13th sections of the militia law approved March 21st, 1850.

Also on behalf of the same committee, to whom was referred the petition of the Adjutant General of the State, to whom was referred the bill entitled An act to create the Parish of Bienville, reported the same back with an amendment to the title, so as to insert the Winn.

Also on behalf of the same committee, to whom was referred the resolution, whereupon the House took up the bill to repeal the act passed March 20, 1848, and return made the same report.

Mr. Taylor, on behalf of the special committee on Retrenchment, to whom was referred the bill entitled An act to provide for the payment of salaries and fees in the department, arises a desire to consolidate many offices and new departments, not called for by the exigencies of the State or the wants of the people. Plausible excuses, and ingenious defenses are never wanting to justify the creation of new offices, and the previous high salary is a ready excuse for equal compensation in the new office, until political morality has lost sight of the justice of the proper rate that should be allowed, in the eager desire to place all on an equality of pay. No State has suffered, or is now suffering like Louisiana from such multiplied evils. The public sentiment demands a change, and that change must be radical.

The public voice demands that Louisiana should be placed by her representatives, upon the footing of the most favored State of the Union. The hard earnings of her industrious population, must be permitted to remain in their own hands, and none taken therefrom to pay an exorbitant salary, or to sustain superfluous offices and their incumbents. A just compensation to every needful officer, in the faithful discharge of his duty, the people of Louisiana will never refuse to her public servants. The present compensations, now allowed by the Constitution and laws of the State, are not just. They must be reduced. Compared with other States, for similar services, the compensation allowed by Louisiana is exorbitant. The people are pressed down with a load of direct and indirect taxation, unknown to the laws of any other State. She can and ought to be the richest State of the confederacy. Possessing as she does all the elements of greatness, power and wealth within herself, she needs but the fostering care of good and wholesome laws, and an economical government to develope her resources, to place her in the front rank of States for wealth and power. Her local advantages are great, beyond those of any other State, for the accomplishment of these purposes. She owns the Mississippi river and its outlet. In the vast extent of this stream, this advantage is enjoyed by no other State. This local advantage can never be too highly appreciated. It includes, in connection with its tributary streams, an inland navigation over one hundred thousand miles. The salubrity of her climate and fertility of her soil are not surpassed, and her citizens only require the aid of good laws, and a cheap government, to make the State one of the richest and most desirable of the confederacy. Laws that will amply protect and give all needful facilities to every honest and honorable pursuit of industry; and reduce the compensation of public officers to such a just standard, as will induce her citizens to seek employment in labor rather than office, are the only requirements needed to place Louisiana on a footing of prosperity.

That the people of the State are willing and will cheerfully pay their public servants a just and equitable compensation for any service they require at their hands, none will doubt. That they will submit to such taxation as will pay for the economical administration of the government and for the advancement of their common good, is equally clear. But the question—what is an equitable compensation to be allowed by the State of Louisiana to her various officers? What is the standard of expenditure for an economical administration of the government? These are questions about which some may differ as to the amount, while they agree in principle.

Your committee are of opinion, *that every office, created by law, is not absolutely necessary to the public business, is a curse, instead of a benefit.* When one such office is created, it makes room for another and takes from industry one or more persons, to consume the labor of others, without a corresponding benefit being returned to society. From being a producer of wealth, he is turned into that of a consumer. The State suffers by it, and society is injured, if not corrupted. If previous offices that were needed, have high salaries, the new ones, although not needed, must also have high salaries, and in common parlance, to place them upon an equal footing with the old ones. *Every dollar that any man expends in the management of his private affairs that does not give him a dollar's worth of benefit in return is a loss. Every dollar given to any officer beyond what the services of that officer could be obtained for, is equally a loss; so every dollar expended by the State, and for which the State does not receive a corresponding benefit in return, is a loss to the State, and a throwing away of the people's money.* These are the deliberate opinions of your committee on these two questions. If for every dollar collected from the people, in the shape of taxes, either direct or indirect, they do not receive a corresponding benefit from its expenditure, there would never be any complaint. But it is because they are taxed annually such vast sums, which are expended, and little or no benefit is perceived to arise from the outlay, that the people then complain, and your committee think justly. For a series of years, this has been going on in Louisiana, and except that a host of office holders and fees paid enormous salaries, the people see nothing done to advance their prosperity, corresponding to such an outlay of money. Shall they then be ground down with a load of taxes annually, and realize little or no benefit to themselves? Shall they be called upon to contribute their hard earnings, only that office holders may have fat salaries? Your committee do not intend, by these remarks, to cast any reflection upon any gentleman, merely because they happen to hold office; but their object is, to present the fact as they believe it to exist, that it a correct value could be set upon every single benefit conferred upon the State, the past few years, and were the whole added together, it would not give in value, a sum equal to one tithe of their cost. It is impossible for the State to advance or prosper under such an order of things; more energy, more labor, more system, and more economy are wanting. The fault is doubtless, in part, owing to existing laws, but much of it is to be found elsewhere.

But the committee have stated as their *opinion, that, the standard of salary to be paid, must be only the sum that would command the services of the officer desired by the people. That the standard of an economical government was a full return of a dollar's worth of benefit to the State, or her citizens, for every dollar expended.*

But some may think these standards have been fully realized in our past and present history. Let us examine this for a moment. The committee have no exact knowledge of the amounts actually paid by citizens of each parish, for Sheriff, Notary, Recorders of deeds and mortgages, Clerks of Court, Coroners, Magistrates and Constables fees, but taking one of the medium parishes as a criterion to judge others by, and adding that of the city and parish of Orleans, formed on better data, they arrive at the astounding sum of one million nine hundred thousand dollars, as round numbers as the annual tax paid by the citizens of Louisiana under the operation of laws as they now exist, for the support of these officers! This sum, great as it is, has to be swelled still larger, by the State and parish taxes, to be again consumed, and as it seems to us with little beneficial returns that are derived from the fee bills of Sheriffs, Coroners and Notaries.

It will be perceived that the committee regard all laws creating any office to which compensation is attached, in the shape of fees as indirect taxation, and on the sanction of law, as the law prescribes the fees to be charged. But the committee would not be understood as intending to convey the idea that fees of office should be abolished—quite the contrary. But the committee do think that the people have a right to expect from their representatives, that the fees of all officers should be reduced to something like the same standard as the fees allowed are now performed for in other States. That the fees now allowed by law in this State are too high, it is sufficient to say that many items are double, treble, quadruple, and in some instances, eight times as much as is allowed by Kentucky, Ohio and other States. With this state of facts before them, the committee do not hesitate in saying, that a reduction of about one hundred per cent. in general, from the present fees, is absolutely called for by the people, at the hands of this Legislature.

It cannot have escaped the observation of members of the House, that experience has demonstrated the fact to be, that high salaries and high fees, so far from securing the best officers or the services of the most energetic and talented men, they are in many, if not in a majority of instances, conferred on men, whose hopes are stimulated by the high compensation to extraordinary means to secure the office—means too, that a man of real worth and modesty will scorn to use for the sake of any office. As Louisiana has tried, for a series of years, the giving of extravagant salaries, and the allowance of enormous fees, and the multiplication of useless offices, the committee earnestly recommend as an experiment, sanctioned by the good example of other States, that she now try moderate salaries, low fees and the abolishment of useless offices, and the merging of the duties of some offices into one, where they are not incompatible. The Committee are satisfied that the plan is not domestic—that if carried out as recommended by them, Louisiana will have as good or better men and more efficient officers on the whole, besides the advantage of saving thousands of dollars to the people. It can be found elsewhere.

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REPORT

OF THE

Committee on Retrenchment.

The Special Committee, to which was referred the resolutions of the House, of adjourn, and which are as follows:

WHEREAS, it is the true policy of all governments that the administration of the laws which govern a people, should be administered with the least possible expense, and that where many offices are created, with high salaries and large fees, it requires high taxation to be raised to support them, and thereby cut out the hard earnings of the people, and indirectly create and support a species of aristocracy—this is not congenial to a free people. Wherefore,

Be it resolved, That the Committee on Retrenchment be required to inquire into the propriety and expediency of lopping off all useless offices, and condensing the administration and execution of the laws into as few hands as possible, and curtailing the salaries and fees of all offices in this State, and report to this House, by bill or otherwise.

Resolved, That the people of Louisiana are now, and for a long time have been, subject to a most exacting and oppressive system of taxation, unnecessary, because not required by the wants of the Government, but consumed in useless and prodigal appropriations.

Resolved, That to tax the people beyond what the legitimate wants of the State absolutely require, is not only unjust in principle, but inexpedient and unwise in point of policy. Economy and frugality in the administration of the government, render it far more efficient and equitable than where extravagance and wastefulness prevail.

Resolved, That this extravagant system of policy, which has uniformly characterized the legislation of the State, should be set aside, and a system calculated to relieve the pecuniary difficulties that cripple and embarrass them, substituted. Reform is necessary.

Resolved, That, the present wants and condition of the country, require of this Legislature a diminution of the expenses of the government, by abolishing such offices as are not essential to the prosperity of the State, and by reducing the salaries of officers, in all cases where the same can be effected without detriment to the public service.

Resolved, That a select committee of seven members be appointed, whose duty it shall be to inquire into and ascertain what officers may be dispensed with, what salaries reduced, and how much; and what other relief may and ought to be extended to the people, and report to this House.

beg leave respectfully to make the following

REPORT:

The subject of the retrenchment of high salaries, the cutting down of unnecessary expenditures of the public money, and the abolishment of every office not called for by necessity or the wants of the people, are of vital importance to the welfare and prosperity of the State. Rich salaries and enormous and unnecessary offices belong, not to free Republics, but rather to despotic governments. States to be rich indeed,

salaries are high in the department, arises a desire to consolidate offices and new departments, not called for by the exigencies of the State or the wants of the people. Plausible excuses, and ingenious defenses are never wanting to justify the creation of new offices, and the previous high salary is a ready excuse for equal compensation in the new office, until political morality has lost sight of the justice of the proper rate that should be allowed, in the eager desire to place all on an equality of pay. No State has suffered, or is now suffering like Louisiana from such multiplied evils. The public sentiment demands a change, and that change must be radical.

The public voice demands that Louisiana should be placed by her representatives, upon the footing of the most favored State of the Union. The hard earnings of her industrious population, must be permitted to remain in their own hands, and none taken therefrom to pay an exorbitant salary, or to sustain superfluous offices and their incumbents. A just compensation to every needful officer, in the faithful discharge of his duty, the people of Louisiana will never refuse to her public servants. The present compensations, now allowed by the Constitution and laws of the State, are not just. They must be reduced. Compared with other States, for similar services, the compensation allowed by Louisiana is exorbitant. The people are pressed down with a load of direct and indirect taxation, unknown to the laws of any other State. She can and ought to be the richest State of the confederacy. Possessing as she does all the elements of greatness, power and wealth within herself, she needs but the fostering care of good and wholesome laws, and an economical government to develope her resources, to place her in the front rank of States for wealth and power. Her local advantages are great, beyond those of any other State, for the accomplishment of these purposes. She owns the Mississippi river and its outlet. In the vast extent of this stream, this advantage is enjoyed by no other State. This local advantage can never be too highly appreciated. It includes, in connection with its tributary streams, an inland navigation over one hundred thousand miles. The salubrity of her climate and fertility of her soil are not surpassed, and her citizens only require the aid of good laws, and a cheap government, to make the State one of the richest and most desirable of the confederacy. Laws that will amply protect and give all needful facilities to every honest and honorable pursuit of industry; and reduce the compensation of public officers to such a just standard, as will induce her citizens to seek employment in labor rather than office, are the only requirements needed to place Louisiana on a footing of prosperity.

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MARINE NEWS.

Port of New Orleans

CLEARED YESTERDAY.

Ship Charles Crocker, Dennis, Liverpool.

CLEARED SATURDAY.

Ship Brunswick, Thomas, Havre.
Ship Ann, Ward, Liverpool.
Ship Arthur, Gibbs, Liverpool.
Brig Lizzie Lowery, Berry, New York.
Brig Ann Eliza, Hall, Liverpool, P. Mayoue.
Brig Cincinnatus, Wells, Havre, E. Flavian.
Brig Sarah Tarbell, Manchester, Hopkins, Pulp, Rit & co.
Brig Hamilton, Robinson, New York, Pleasant & co.
Brig Louisa Edmonds, Grant, Boston, Donald McNab.

Schooner Belle Alliance, Angerstein, San Salvador, Fogg, Mix & co.

Sailed Yesterday.

Sailed 8 A Berthe, Merry, Baltimore, J M Administrator & co.
Sailed Southerner, Sauer, Apalachicola, Master.
Sailed N R Hagan, Hagan, Kingston, Jas. John Allenson.

Arrived Saturday.

Steamship Mariner Fox, from Galveston, 12th inst., to Morgan's Morgan—Mdse.
Br Ship Royal Victoria, Hinter, from London, 25th Dec., to Ed Mackey—Mdse.
Shch Lory, Lovett 26 days from Boston, to master—Ballast.
Schr Tiburon, Tonia, 5 days from Tampico, to S Fernandez—Mdse.
U S revenue cutter Dobbin, 4 days from Vera Cruz, at S W Pass.

—STEAMBOATS—

Tuscumbia, Johnson, for Bayou Sara.
Globe, Gilbert, for Nashville.
Quiver, Ure, for Bayou Sara.
Ville Lafayette, Brown, for Louisville.
Oklahoma, Kennedy, for Mobile.
Fanny Smith, Richards, for Louisville.
Boston No 2, Lobdell, for St. Martinsville.

—TOWBOATS—

Star Whitney, for the Passes.

Arrived Yesterday.

Ship John Bryant, Dyer, from Liverpool, 24th Dec., to master—Ballast.
Bark Fausista, Newton, 18 days from Charleston, to R M Harmon & co—Lotsy.
Brig American, Maloney, from Vera Cruz, 7th inst., to A Fontelieu & co—Lotsy.
Schr Topic, Lawrason, from the Coast—Lotsy.
Schr Hope and Stone, Olivier, from the Coast—Lotsy.

—STEAMBOATS—

Caddo No 2, Graham, for Grand Prairie.
Excelsior, Wade, for Cincinnati.
Kate, Wittenberg, for Alexandria.
Kate Campbell, Rogers, for Lafourche.
Jesse Johnson, for Opelousas.
Belle Dunn, Gannon, for Madison.
Wm Robb, Newmarch, for Chattanooga.
Maj A Harris, Muller, for Cincinnati.
Western World, North, for St Louis.
Madison, Hooper, for Chattanooga.
James Robb, Montgomery, for Cincinnati (new).
Mississippi, Hooper, for Pittsburgh.
Magnolia, Thomasson, for Vicksburg.

—TOWBOATS—

Towboat Rockster.

The Star, for the Passes—Towed down and to sea, on the—6th inst., ships Memphis and Ellerslie—brought up ship Royal Victoria, bark Lucy and schr Oregon.

Disasters.

Capt. Sunde, of the schooner Jane Amelia, from Saint Marks, reports the loss of the brig Union, Capt. Rodewich, bound for Vera Cruz. Has been lying the past 48 hours at Dauphin Island. Capt. Sunde also reports the loss of the brig Sunon, of Vera Cruz, on the same gale.

Foreign Ports.

American vessels left at Havre, 1st inst., Hector, Pedrick, of New York, for New Orleans, Jan 15th; Manchester, Tyler, for do, for do 15th; Cincinnati, Lombard, Baltimore, for do, for do 15th; Cincinnati, Lombard, Baltimore, for do, for do 15th; Ann Eliza, Hall, Liverpool, P Mayoue; Brunswick, Thomas, Havre, do; Arthur, Gibbs, Liverpool, do; Lucy Lowery, Berry, New York, do; Sarah Tarbell, Manchester, Hopkins, Pulp, Rit & co; Hamilton, Robinson, New York, Pleasant & co; Louisa Edmonds, Grant, Boston, Donald McNab.

Sailed Jan 2, Ann Elizabeth, Crosby, Philadelphia, Jas Lawrence Bogert, Jr.

Sailed 3d, Ann Eliza, Hall, Liverpool, P Mayoue.

Sailed 5th, Brunswick, Thomas, Havre, do.

Sailed 6th, Arthur, Gibbs, Liverpool, do.

Sailed 7th, Lucy Lowery, Berry, New York, do.

Sailed 8th, Cincinnati, Lombard, Baltimore, do.

Sailed 9th, Hector, Pedrick, New York, do.

Sailed 10th, Manchester, Tyler, New York, do.

Sailed 12th, Sarah Tarbell, Manchester, Hopkins, Pulp, Rit & co.

Sailed 13th, Hamilton, Robinson, New York, Pleasant & co.

Sailed 14th, Louisa Edmonds, Grant, Boston, Donald McNab.

Sailed 15th, Ann Elizabeth, Crosby, Philadelphia, Jas Lawrence Bogert, Jr.

Sailed 16th, Ann Eliza, Hall, Liverpool, P Mayoue.

Sailed 17th, Brunswick, Thomas, Havre, do.

Sailed 18th, Arthur, Gibbs, Liverpool, do.

Sailed 19th, Lucy Lowery, Berry, New York, do.

Sailed 20th, Cincinnati, Lombard, Baltimore, do.

Sailed 21st, Hector, Pedrick, New York, do.

Sailed 22d, Manchester, Tyler, New York, do.

Sailed 23d, Sarah Tarbell, Manchester, Hopkins, Pulp, Rit & co.

Sailed 24th, Hamilton, Robinson, New York, Pleasant & co.

Sailed 25th, Louisa Edmonds, Grant, Boston, Donald McNab.

Sailed 26th, Ann Elizabeth, Crosby, Philadelphia, Jas Lawrence Bogert, Jr.

Sailed 27th, Ann Eliza, Hall, Liverpool, P Mayoue.

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