

Supplement to the Bee.

THURSDAY MORNING, FEBRUARY 19, 1835.

State of Louisiana.

TWELFTH LEGISLATURE—1st SESSION.

JOURNAL.

TUESDAY, Feb. 3, 1835.

The House met agreeably to adjournment.

There being no quorum, on motion of Mr. Penn.

Ordered, that the House do go into a recess.

The House met again, Mr. Lavergne, in the chair.

On motion of Mr. Lewis, ordered, that leave of absence be granted to Messrs. Couvillon, Neraut, Davidson and Winn.

Mr. Penn presented the following resolution:

Whereas, the invaluable right of being heard in self defense, and of demanding the nature and cause of accusation is justly recognized and appreciated as one of the fundamental principles incorporated into the laws of the land; and wherefore, the trial, condemnation and punishment of an individual, for either the commission of an offence, or the omission of a public duty, without being first heard, would be in direct opposition to the true spirit and meaning of our republican institutions, and highly derogatory to the dignity and enlightened character of the Legislature of Louisiana.

Therefore, he it resolved, That Jerome Bayon be served with a copy of the resolution introduced into this house, on the 1st ult, touching his conduct as state printer, and that he be admitted to a place within the bar of the house, in order to make such defence as he may think proper, either in person, or by counsel.

On motion, ordered, that the same be adopted.

Mr. Davidson presented a petition signed by a large number of citizens and freeholders of the parish of Livingston, praying for the removal of the seat of justice of said parish to the town of Springfield.

On motion, ordered, that the same be referred to Messrs. Penn, Hall and Davidson.

Mr. Armand presented the petition of Armand Beaurepas, of the parish of Pointe Coupee, testuary executor of widow Poles, deceased, praying leave to emancipate certain slaves.

On motion, ordered, that the same be referred to the committee on the judiciary.

Mr. Ogden presented the following resolutions:

Resolved by the House of Representatives of the State of Louisiana, that the administration of the government of the state, by the late governor, A. B. Roman, has been marked by wisdom, firmness, and a judicious and unwearied zeal for the public service; that in the execution of the laws, he has exhibited fidelity, and in the numerous and important appointments it has fallen to his lot to make, he has manifested impartiality, and a single regard to the true interests of the state; and that he retires with the full and entire approbation of this House for his official conduct, and with their personal esteem and regard.

Resolved, that the speaker of this House transmit to the late Governor Roman a copy of these resolutions.

On motion, ordered, that the same be adopted.

Mr. Penn, on behalf of the committee appointed to examine the treasurer's accounts, made the following report:

(See the Bee of 6th Feb.)

On motion, ordered, that the same be printed.

Mr. Brashears, on behalf of the committee on agriculture and manufactures, made the following report:

The committee to whom was referred the expediency of amending an act entitled "an act to incorporate the agricultural society of the state of Louisiana," approved March 26, 1833, had, by virtue of the same under consideration, an act report it as their opinion, that it would be inexpedient at this time to make any alteration in the charter of said society, by bill, or otherwise, so as to deprive the society from the object to which they are now devoted, and in conformity to the original object of the institution, to wit: an experimental farm, which does not at this time admit of division.

On motion, ordered, that the same be laid on the table, subject to the call of the House.

Mr. Penn presented the following resolutions: which were read for the first time, and ordered for a second reading on to-morrow, viz.,

Resolved, by the Senate and House of Representatives:

1st. That the late governor, A. B. Roman, deserves well of the citizens of the state of Louisiana, for the firmness with which he asserted the rights of the state in its controversy with the bank of Louisiana.

2d. That the treasurer, Francois Gardin, justly merits the thanks of the state, for the zeal and uncompromising perseverance which he has manifested in so successfully maintaining the rights of the state in said controversy.

3d. That the said treasurer be, and he is hereby allowed the sum of two per cent on the amount recovered from the bank of Louisiana, to be paid on his own warrant.

And the following resolution, to wit:

Resolved, by the Senate and House of Representatives, &c., That the Treasurer of the state be, and he is hereby authorized and requested to close the accounts numbered on the statement from one to eleven, inclusive, in the account accompanying his report at the present session, headed, statement of taxes in arrears.

The same member presented the following bill: entitled "an act prescribing the mode of canceling and destroying the bonds of the state, when redeemed," which was read for the first time and ordered for a second reading on to-morrow.

Mr. Lewis, on behalf of the committee on claims, reported the following bills, which were read for the first time, and ordered for a second reading on to-morrow:

"An act for the relief of Anacharis Laminaria, and"

"An act for the relief of Sidney Callender, of the city of Lafayette."

Mr. Ogden, on behalf of the committee on the judiciary, reported the following bill:

"An act in relation to the execution of judgments," which was read for the first time, and ordered to be printed.

The same member, on behalf of the same committee, reported the following bill:

"An act in relation to mortgages."

On motion, ordered, that the same be printed.

The same member, on behalf of the same committee, reported the following bill:

"An act to extend the time of prescription in reference to the sale of slaves," which was read for the first time, and ordered to be printed.

Mr. Lewis presented the following resolution:

"Resolved, by a committee of five members appointed to inquire into the affair, which occurred in the hall of representatives this morning, in account of the contingent expenses of the executive

department, together with the necessary vouchers, from which it will appear that of the five thousand dollars put at the disposal of the governor, four thousand nine hundred and sixty dollars ninety six cents have been expended.

(Signed) A. B. ROMAN.

January 30, 1835.

On motion, ordered, that the documents referred to in said communication be referred to the finance committee.

Mr. Lawson, on behalf of the committee instructed to investigate the particulars of the affray which took place between Mr. Grymes and the speaker of the House, there to answer to a charge of contempt of the authority, and a breach of the privilege of this House, if an attack made upon the speaker of this House in the hall of representatives, on the 3d of February instant, about the hour of ten in the morning, the regular hour of the meeting of the House; there and then to await the further order of the House.

On motion, ordered, that the documents referred to in said communication be referred to the finance committee.

Mr. Duros presented the following resolution:

"Considering the deplorable event which took place to-day in the Hall of the House of Representatives, in consequence of which the honorable speaker thereof had been wounded."

Resolved, That as a testimony of respect to Mr. Alcees LaBranche, the speaker, the House do adjourn till to-morrow.

On motion, ordered, that the same be adopted.

The House then adjourned until to-morrow at ten o'clock, A. M.

WEDNESDAY, Feb. 4, 1835.

The House met, agreeably to adjournment.

Mr. Lavergne being called to the chair,

On motion of Mr. Davidson, the House proceeded to the election of a speaker pro tempore.

The ballot box having been carried around, and each member having deposited his vote,

Messrs. Armand and Bienville were, on motion appointed tellers.

On opening the ballot box, it appeared that Mr. Lewis had obtained 5 votes,

A. Duros	12 "
Penn	18 "
Blank	1 "

No member having obtained an absolute majority, there was no election.

The ballot box having been carried around a second time,

Each member present having deposited his vote, On opening the same, it appeared that out of 37 votes

Mr. Penn had obtained 10 votes,

A. Duros 16 "

Lewis 1 "

Blank 1 "

37.

Mr. Penn having obtained the requisite majority was duly elected speaker pro tempore of the House of Representatives of the state of Louisiana during the absence of Mr. Alcees LaBranche, and in that capacity took the oath of office.

Mr. Lawson moved for the appointment of two additional members on the committee appointed for the purpose of examining into the circumstances of the affray which took place yesterday in the hall of Representatives.

Said motion having prevailed, Messrs. Lewis and Sparks were appointed.

On motion, the committee was allowed to retire for deliberation, and directed to report as soon as possible to-day.

Mr. Patin offered the following resolution:

Resolved, That a committee composed of three members be appointed and requested to enquire whether the act entitled "an act supplementary to the several acts authorizing the erection of a penitentiary house in the town of Baton Rouge, approved March 10, 1834, by virtue of which all the convicts condemned to hard labor are to be transferred to said penitentiary house, has been put in force in the first judicial district; and that said committee be instructed to report by bill or otherwise."

On motion, ordered, that said resolution be adopted.

Messrs. Patin, Armand and Lawson were appointed on said committee.

Mr. Dixon presented the petition of a great number of citizens of New Orleans, praying for the enactment of a law creating a recorder's court.

On motion, ordered, that the same be referred to the judiciary committee.

On motion, ordered, that leave of absence for a few days be granted to Mr. Brashears.

A message was received from the senate by Mr. Dayis, their secretary, requesting the concurrence of the House in the following resolution:

Resolved &c. That the joint committees on the banks be instructed to report upon the condition of their respective banks, as to specific notes in circulation, loans and discounts, operations in exchange, on the first of each month from the 1st of March to the 1st of August 1834, and generally such facts as may show how far said banks were in a condition to sustain their means were exerted to relieve the public from the then pressure; and that said committee be instructed to send for persons

in the case under consideration.

In the case under consideration, the speaker had entered the House of Representatives, where many members had convened; and was in the act of going to the chair, when the assault was made upon him. But the most aggravated feature in the case is presented in the fact that the hour had arrived for calling the house to order, when he was, or ought to have been in the enjoyment of the privileges accorded to him, in common with others engaged in legislative duties. Under these circumstances, if the representatives of the people have not the power to punish an assault on their speaker, then are they destitute of power which belongs to the most inferior judicial tribunal in the country.

On motion, ordered, that the same be referred to the judiciary committee.

On motion, ordered, that leave of absence for a few days be granted to Mr. Brashears.

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department, together with the necessary vouchers, from which it will appear that of the five thousand dollars put at the disposal of the governor, four thousand nine hundred and sixty dollars ninety six cents have been expended.

Resolved, That the speaker pro tempore do issue his warrant, directing the sergeant-at-arms attending this house, commanding him to take in custody, wherever he may be found, the body of John R. Grymes, and the same in his custody to keep, and that he bring him to the bar of the House, there to answer to a charge of contempt of the authority, and a breach of the privilege of this House, if an attack made upon the speaker of this House in the hall of representatives, on the 3d of February instant, about the hour of ten in the morning, the regular hour of the meeting of the House; there and then to await the further order of the House.

On motion, ordered, that the documents referred to in said communication be referred to the finance committee.

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