

No. 48.

RESOLUTION

For the relief of the children of John Augustin Bousquet, deceased.

WHEREAS, On the eleventh day of January, Anno Domini, one thousand eight hundred and four, John Augustin Bousquet, of the city of Philadelphia, merchant, did present his memorial to the legislature of Pennsylvania, setting forth that he was born in the village of St. Andre, in the department of St. Herault, in France; came to the United States in September, Anno Domini, one thousand seven hundred and ninety-three, and being naturalized according to law, he had thereafter resided in the city of Philadelphia, and carried on business extensively as a merchant. That soon after his arrival in America, he formed a connexion upon principles of affection and confidence with Reine Maria Eugenia Renaut, who was also a native of France, under an assurance and determination, that as soon as the approbation of his parents could be obtained, the marriage ceremony should sanctify their union. That a variety of circumstances occurred to postpone the accomplishment of this object, during which time, however, the memorialist permitted the said Reine Maria Eugenia Renaut to bear his name. He treated her publicly in all respects as his wife, and became the father of three children, the last of whom proved fatal in its birth to the life of the unfortunate mother. That by the laws which prevailed in France, and which the memorialist imagined were, on this subject, in force in the United States, a natural child is rendered legitimate by the subsequent intermarriage of the parents, and thence arose the procrastination which he then deplored; but, addressing himself to the authority and beneficence of the legislature, he yet hoped to obtain for his offspring a legitimate character in society. That with such view he prayed that a law might be passed, declaring that, for the reasons before stated, his said three children, viz: Louisa Adele Josephina, John Maria, and Jane Maria Eugenia, by the aforesaid Reine Maria Eugenia Renaut, should be entitled to all the rights and benefits of children born in lawful wedlock: *And whereas*, A committee of the senate, to whom the said memorial was referred, did report a bill, entitled an act to confer on the natural children of John Augus-

Preamble

in Bousquet, the rights and benefits of children born in lawful wedlock, which, on the twentieth of January, Anno Domini, one thousand eight hundred and four, was passed, and ordered to be presented to the house of representatives for concurrence: *And whereas*, On the twentieth of February, Anno Domini, one thousand eight hundred and four, the said bill was read a third time before the house, and on the question, whether it should pass, was determined in the negative. *And whereas*, It has been communicated to the present legislature of this commonwealth, that the said John Augustin Bousquet died at Bordeaux, in France, on the tenth of September, Anno Domini, one thousand eight hundred and thirty-seven, the said three children named in his memorial, surviving him, and residing in the said city, or its environs: *And whereas*, It has also been communicated to the present legislature of this commonwealth, that the rejection of the bill of the senate before mentioned, by the house of representatives, in the session of one thousand eight hundred and three, and one thousand eight hundred and four, is prejudicial to the said three children of the memorialist, in these respects: First—It is not viewed by the tribunals of law in France, that the state of the said three children was left in *statu quo prius*, the presentation of the said memorial. Secondly—It is viewed by the said tribunals, that the aforesaid rejection, contained by implication, the opinion of the house, that the said children were illegitimate, and that the said house adopted the inference of the memorialist, upon the state of the facts presented by him to them, as contained in his memorial: *And whereas*, It has also been communicated to this legislature, that the aforesaid tribunals will not receive the opinions of the juris-consults, or invoke the tribunals of this commonwealth for information on the subject, and of evidence sufficient to establish a marriage in Pennsylvania, but require a legislative declaration of the consequences to the said parties, of the aforesaid rejection: *And whereas*, Common justice requires that, under such circumstances, it should be proclaimed that, by such rejection, nothing was intended to be affirmed or denied, of the legitimacy or illegitimacy of the said three children, but their legal rights and qualities remained the same precisely after, as before the aforesaid rejection, and that according to the laws and usages of this commonwealth, reputation and co-habitation are sufficient evidence to establish a marriage; and, therefore, to render legislative action, as prayed in the said memorial, nugatory.

Therefore,

RESOLVED, *By the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met*, That the secretary of the commonwealth certify,

under his hand and the seal of the state, to all whom it may concern, a copy of the foregoing preamble, as evidence of the law and practice of this commonwealth, upon the subjects hereinbefore recited: *Provided however,* That nothing herein contained shall be construed to impair the legal rights of creditors, or others, to the property of the said decedent.

WM. HOPKINS,
Speaker of the House of Representatives.
CHARLES B. PENROSE,
Speaker of the Senate.

APPROVED—The twenty-fifth day of June, eighteen hundred and thirty-nine.

DAVID R. PORTER.

No. 49.

RESOLUTION

Authorizing the erection of a building for an office for the Auditor General, and for other purposes.

WHEREAS, Much confusion exists among the papers and documents in the auditor general's office; much unnecessary and vexatious labor is imposed upon those entrusted with the performance of its duties, and much public loss will eventually be sustained from the present existing condition of affairs therein, when, for want of room, they have been obliged to pile one mass of papers on another, not being able to arrange and file the same, and have even been obliged to make the basement story the depository of several boxes containing papers that may be called for, and hence, are useful: *And whereas,* These evils must be aggravated in a ratio, corresponding with the extension of our public improvements, and the increase of business upon our public works:

Therefore, be it

RESOLVED, *By the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That the governor, auditor general and state treasurer, be constituted commissioners, whose duty it shall be to cause a suitable building to be designed by a competent architect, appointed by the governor, to be constructed as

Governor, auditor Gen'l & State Treas'r to cause an office for auditor general to be erected