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OFFICIAL.

LOUISIANA LEGISLATURE.

SEVENTEENTH LEGISLATURE—FIRST SESSION.

JOURNAL OF THE SENATE.

THURSDAY 19TH. JANUARY, 1843.

The Senate met agreeably to adjournment.

Members present—Messrs. Frix Garcia, President; Roussey, Dupré, Downs, Davidson, Hoa Lacoste, Ledoux, Labauve, Moore, Sparrow, Thibodeaux, Walker, and Waggaman.

The Secretary informed the House that the President of the Senate had signed the enrolled bills and resolution entitled:

An act to amend an act, entitled An act for the relief of the College of Jefferson, approved March 26th, 1842.

An act to reduce the pay of Jurors in the Parishes of Carroll, Madison and Concordia; and,

Resolved, authorizing the Adjutant General to furnish muskets for the Guard of the convicts employed on the Public Works of the State.

SPECIAL ORDER OF THE DAY.

Leaving Roll-call, the Senate resumed the discussion on the bills enrolled.

An act to amend the article 3383 of the Civil Code, which was as follows:

Section 1. Be it enacted, by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That so much of the 3383d article of the Civil Code of Louisiana, in the 10th clause, in these words, to wit: an only daughter, being a minor, may be without her consent, or that of her parents, contract marriage, unless the said parent or parents is disabled or absent, or has and the same is hereby repealed; and any parents living after the passage of this act shall not deprive their son or her daughter, by testament or otherwise, even though said child, while a minor may have married without the consent of his or her parents. Provided a proper citation has taken place between the parent or parents and the child who has married against the consent of a parent or parents since the said marriage of the said child.

Section 2. Be it further enacted, That this act shall take effect from and after its approval by the Governor.

Mr. Labauve moved to amend the said bill, by striking out, after the words "disinherited and minor," the word "even" and the same be repealed" and inserting in thereof the words "the words" be so amended that "unduly situated, after the words "this or her child," the words "either by testament or otherwise, even though" and inserting in lieu thereof the words "on the ground that."

Mr. Labauve's amendment was adopted.

Mr. Hoa, then called for the yeas and nays, on the adoption of said bill, as amended.

Messrs. Bovary, Hoa, Lacoste, Ledoux, Labauve, Sparrow, Thibodeaux and Waggaman, voted against the adoption—9 nays, and Messrs. Downs, Davidson, Moore and Walker voted in the affirmative—4 yeas.

The said bill was consequently lost.

On motion of Mr. Davidson, the Senate dispensed with the rules, and took up at its first reading the bill entitled:

An act for the relief of M. G. Penn.

On motion, the rules were again dispensed with, and said act passed to a second reading.

An act for the relief of Mr. Kirk.

On motion, the rules were dispensed with, and said act passed to a second reading.

Ordered, That the said bill be referred to the Committee on Claims.

ORDER OF THE DAY.

The following bills were read for the first time:

An act to amend an act entitled An act to incorporate a Marine Insurance Company, in the city of New Orleans.

An act to establish the city improvements in the Parish of Lafayette, and the other dwelling-place thereon.

An act to amend an act entitled An act to increase the pay of the members of the Police Jury in and for the Parish of Pointe Coupee, approved February 17th, 1840.

An act for the relief of John Kirk.

An act granting to Thomas Cs. S. Godwin and William Gordon the privilege of keeping a ferry across the river Sabine, for other purposes.

An act to amend an act entitled An act granting to E. Nolle, Eli Berry, T. Phelps, C. L. Stokes, R. G. Worthen, W. Kennedy, and their associates, the privilege of making, and establishing a Turnpike road leading from Lake Concordia to Harrisburg, in the Parish of Catahoula.

An act relative to the revenue derived by the State from the tax of the agents of Foreign Insurance or Insurance Companies.

An act to amend the act entitled: An act to incorporate the town of Shreveport, in the Parish of Caddo, and for other purposes," approved 20th day of March, 1839.

An act to amend an act entitled: An act for the trial of certain law suits pending in the 3d, 9th and 10th Judicial Districts.

An act amendatory of the several acts concerning marriages.

An act for the relief of Rosine Dubard, widow of Andre Barrau, a resident of the Parish of Plaquemines.

On motion, the Senate adjourned till tomorrow, at 11 o'clock A. M.

FRIDAY, 20TH JANUARY, 1843.

The Senate met agreeably to adjournment.

Members present—Messrs. F. Garcia, President; Roussey, Bernard, A. G. Carter, Dupré, Downs, Ledoux, Labauve, Moore, Sparrow, Thibodeaux, Walker and Waggaman.

Mr. Labauve moved to introduce, without having given previous notice, a bill entitled: An act relative to marriages and wills; which was read for the first time.

Mr. Hoa presented a petition from the Mechanics' Insurance Company, praying for an amendment to their Charter.

He also gave notice that he would introduce a bill to amend the Charter of said Company.

ORDER OF THE DAY.

The Senate took up the bill from the house, entitled: An act to amend an act to incorporate the town of Lisbon in the parish of Assumption, approved March 25th, 1840.

MESSAGE FROM THE HOUSE.

Mr. Landry, clerk of the house, requested the concurrence of the Senate in the following resolutions:—

Resolved, on proposending certain questions to the State Treasurer, in relation to the several Sheriffs of the state of Louisiana.

Resolution laid the election of the State Treasurer on Friday, the 27th instant, at 12 o'clock M.

Which was submitted to the Senate for adopting the preamble and resolution adopted by the house:—

Whereas the Board of Currency, in compliance with the law, sent in the report of their doings to the Senate, more fifteen days since, and, whereas, the Senate, after reading and report, ordered the same to be printed and duly printed. That since that period to this time, said report has not been printed, thereby depriving this house of its only source of information of this important document.

Be it therefore resolved, that the Honorable the Senate be requested to furnish to this house, with the greatest dispatch, the report made to the Board of Currency, if not printed or adopted, some other model that may be deemed the most desirable object.

Which was read for the following resolution:

Resolved, That the House of Representatives be informed, in answer to the resolution sent to the Senate relative to the Board of Currency, that said report was ordered to be printed soon after its receipt, and from the great length of the document, the original, instead of a copy, was sent to the State Printer, and has not been returned, nor has the Senate been informed that the State Printer refused to print it, and as soon as the original or a printed copy shall be received by the Senate, it will be communicated to the House.

Said resolution was adopted, and the Secretary was directed to inform the House thereof.

Mr. Landry, Clerk of the House, informed the Senate that the members of the House were now ready to receive the members of the Senate in the hall of the House, for the purpose of proceeding to the election of State Printer.

On motion, the Senate proceeded to the hall of the House of Representatives.

The roll of both Houses being made, it appeared that there were seventeen members of the Senate present and fifty four Representatives.

On motion, the Legislature proceeded by joint ballot to the election of State Printer.

The votes being deposited in the ballot box;

The President on the part of the Senate appointed Mr. Sparrow to act on the part of the Senate;

And the Speaker of the House appointed Mr. Ratliff on the part of the House.

The votes being counted, it appeared that

Bullin & Co. had received	37 votes.
The Morning Herald	33 "
Total,	70 votes.

Messrs. Bullin & Co. having obtained a majority of the votes, was consequently declared duly elected.

The Senate having returned to the hall of their sittings;

On motion the Senate adjourned until Monday, at 11 o'clock A. M.

MONDAY, 23d JANUARY, 1843.

The Senate met agreeably to adjournment.

Members present—Messrs. Felix Garcia, President; Roussey, Bernard, Carter, Dupré, Downs, Davidson, Hon. Lacoste, Ledoux, Labauve, Moore, Sparrow, Thibodeaux, Walker and Waggaman.

Mr. Forstall, the Governor's private secretary, delivered a message in writing from the Governor.

Agreeable to a resolution previously adopted, the Secretary transmitted to the House the report of the Board of Currency.

The President submitted the following letter from the Governor, which was read:

To the Senate and House of Representatives:

I have the honor of submitting herewith to the General Assembly, the annual report of the Board of Administrators of the Charity Hospital.

January 23d, 1843. [Signed] A. B. ROMAN.

On motion, the report accompanying the above letter was ordered to be printed.

Mr. Hoa presented the following preamble and resolution:

Whereas, the establishment of a Navy Yard, on the largest scale, on the waters of the lower Mississippi, has been suggested to Congress by the Secretary of the Navy, in his last report, December, 1842, and in his previous report to the Senate of the United States, of the 31st January, 1842, and, whereas, the establishment of such a Navy Yard as contemplated by said Secretary, would be more judiciously and more advantageously for the Union, fixed and erected in the State of Louisiana, at or near the City of New Orleans;

Be it resolved, That the Committee on Federal Relations of both Houses, be instructed to investigate that important subject, and make a report by bill or otherwise.

Said preamble and resolution were read for the first time.

On motion, the rules were dispensed with, the resolution underwent its second and third readings and was adopted.

On motion, the preamble was also adopted.

Mr. Carter, of the Committee of Claims, to whom was referred the bill entitled:

An act for the relief of M. G. Penn, reported said bill without amendment, and it underwent its second reading.

On motion, the rules were dispensed with, said bill was read for the third time, and passed.

On motion, the rules were again dispensed with, and the Secretary informed the House of the concurrence of the Senate thereon.

He also requested the concurrence of the House to the resolution in relation to the establishment of a navy yard, at or near the City of New Orleans.

Mr. Carter presented a report signed by Messrs. A. M. Dunn, P. Fishburn, and Wm. B. Forsyth, appointing the Trustees of the College of Louisiana, as a committee to report on the conclusion of said college.

On motion, the said report was ordered to be printed.

Mr. Bernard presented the report made by a committee appointed by the Board of Trustees of the College of Baton Rouge, which was read, and

On motion, was referred to the Committee on Public Education.

On motion of Mr. Downs, the document submitted by the Governor, in compliance with a request of the Senate, relative to the last session of the Legislature, and the returns of Senators for Assumption & Lafourche, were referred to the Committee on Federal Relations.

Mr. Labauve submitted a petition from Mrs. Elisa Wainone, wife of Amos Hough, of the Parish of Iberville, praying for a divorce from her said husband, Amos Hough.

On motion, the said petition was laid on the table.

ORDER OF THE DAY.

The following bills and resolutions were read for the first time:

An act relative to the Recorder of Mortgages in the Parish of St. Landry.

An act to create Notary Public in the Parish of St. Martin.

And Resolutions propounding certain questions to the State Treasurer, in relation to the several Sheriffs of the State of Louisiana.

On motion, the rules were dispensed with, the above last named resolutions were read for the third time and amended.

On motion, the rules were again dispensed with, they were read for the third time and adopted as amended.

Mr. Landry, Clerk of the House, informed the Senate of the concurrence of the House in the bills entitled:

An act to authorize the Police Jury of the Parish of Natchitoches to fix a parish tax within the limits of the corporation of the town of Natchitoches, and for other purposes;

And An act relative to the Police Jurors of the Parishes of Rapides and St. Landry.

He further requested the concurrence of the Senate in a resolution requesting our Senators and Representatives in Congress to use their exertions to obtain an appropriation for the removal of obstructions in Red River.

On motion, the rules were dispensed with, the said above mentioned resolution was read for the first time.

On motion, the rules were again dispensed with, it underwent its second and third readings and was adopted.

On motion, the rules were dispensed with, and the Secretary informed the House of the concurrence of the Senate in said resolution.

He also informed the House of the concurrence of the Senate, with amendments, in the resolutions propounding certain question to the State Treasurer in relation to the several Sheriffs of the State of Louisiana.

On motion, the bill entitled, An act relative to Notaries of Mississippi, and Counter, Executors and Administrators of estates, which was the special order of the day for today at 12 o'clock, was postponed till Wednesday next, at 12 o'clock.

On motion, the bill entitled, An act to regulate the shipping of seamen, was made the special order of the day for Thursday next, at 12 o'clock, M.

An act to create additional election precincts and to change election precincts in the parishes of Carroll, Madison and Concordia, was read for the second time; on motion, the rules were dispensed with, it underwent its third reading and passed.

An act to amend the act to incorporate the town of Iberia, in the parish of St. Martin; approved March 15th 1839, was read for the second time.

On motion, the rules were dispensed with, it underwent its third reading and passed.

On motion, the bill entitled, An act to create a new Parish in the county of Natchitoches, to be called the parish of Sabine, was made the special order of the day for to-morrow at half past 11 o'clock, A. M.

On motion, the bill entitled, An act for the relief of the Common School in the city of Lafayette, was made the special order of the day for to-morrow, at 12 o'clock, M.

On motion, the Senate adjourned till to-morrow, at 11 o'clock, A. M.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, 18th JANUARY, 1843.

The House met agreeably to adjournment.

Mr. Bullin presented the petition and memorial of P. L. Hebrard, a resident of New Orleans, praying for some relief.

On motion, said petition was referred to the Committee on Claims.

Mr. Stille offered the following resolution, which was, on motion, adopted:

Resolved, That the President of the Mexican Gulf Rail Road Company, be required to lay before this House a statement of the condition and affairs of said Company.

Mr. Robertson offered the following resolution:

Be it resolved by the Senate and House of Representatives, &c., That the State Engineer order the Superintendent of the convict hands to repair with the hands under her charge to the Bayou Grosse Tête, in the Parish of Iberville, for the purpose of cutting a cordell road from the Indian Village to the bridge of Joseph Orillon, and to ditch, bridge and do other necessary works to said road, and if it should not be convenient or practicable to perform said work at present, that it shall be commenced on the first of October 1843;

Which was read for the first time and on motion referred to the Committee on Internal Improvement.

Mr. Morgan offered the following resolution;

Be it resolved by the Senate and House, &c., That the Treasurer of the State be, and is hereby required to forward as early as practicable, and without delay, to both houses of the General Assembly the following information, viz:

1st. Has any of the former Sheriffs, as collectors of taxes and fines appointed previous to the year of 1841, failed to pay over the moneys into the State Treasury, before by them collectors aforesaid?

2d. If so, who are they? from what parish? what amount is still due by them? and for what year or years?

3d. Have you either in writing or verbally in any instance granted further time, than that prescribed by law to any of said Sheriffs, for the payment of the arrears due for taxes and fines; if yes, state what Sheriff or Sheriffs, and what indulgence was granted.

4th. If any Sheriff or Sheriffs were in default as aforesaid for the period of more than one year without your proceeding against them, state particularly the reasons why you delayed doing so, also if you have and what probability or assurance there is of the ultimate collection of said arrears.

5th. And what Sheriffs are now in arrears for any taxes or fines now due the State Treasury, and to what amount, and specify the particulars as it regards the fines, if any are due?

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

Mr. Phelps laid before the House the memorial of sundry citizens of the Parish of Catahoula, remonstrating against any alterations of the southern and south-west line boundary of the Parish of Catahoula.

On motion, said petition was referred to a special committee of three members.

The Speaker appointed Messrs. Phelps, Orr, and Nash, on said Committee.

Mr. Ratliff, in behalf of the committee to whom was referred the memorial of W. Eicard, praying for some relief, reports unfavorably on said petition, and prays to be discharged from any further consideration of the subject.

On motion, said committee was discharged.

Mr. Ogden, on behalf of the Judiciary Committee, to whom had been referred the bill entitled:

An act to repeal the 3324 article of the Code of Practice;

Reported by a substitute, entitled:

An act to repeal the 3324 article of the Code of Practice;

Which was read for the first time, and, on motion, laid on the table subject to the call of the House.

The same member, on behalf of the same committee, to whom had been referred the bill entitled:

An act relative to appeals and notices of judgments;

Reported by a substitute, entitled:

An act relative to appeals and notices of judgments;

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 bill entitled:

An act relative to depositions of witnesses in certain cases;

Reported by a substitute, entitled:

An act relative to depositions of witnesses in certain cases;

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

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act to regulate the price of judicial publications in newspapers;

Reported the same bill with amendments;

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

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act relative to public notices and advertisements in the Parish of St. Landry;

Reported unfavorably on said bill, and prayed to be discharged from any further consideration of the subject.

On motion, said report was laid on the table, subject to the call of the House.

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act to regulate the price of judicial publications in newspapers;

Reported unfavorably on said bill, and prayed to be discharged from any further consideration of the subject.

On motion, said report was laid on the table, subject to the call of the House.

The same member, in behalf of the same committee, to whom was referred the first time by the title, and ordered for a second reading on to-morrow.

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act relative to public notices and advertisements in the Parish of St. Landry;

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

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act to regulate the price of judicial publications in newspapers;

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

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act relative to depositions of witnesses in certain cases;

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

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act relative to depositions of witnesses in certain cases;

Reported unfavorably on said bill, and prayed to be discharged from any further consideration of the subject.

On motion, said report was laid on the table, subject to the call of the House.

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act to regulate the price of judicial publications in newspapers;

Reported unfavorably on said bill, and prayed to be discharged from any further consideration of the subject.

On motion, said report was laid on the table, subject to the call of the House.

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act relative to public notices and advertisements in the Parish of St. Landry;

Reported the same bill with amendments;

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

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act to regulate the price of judicial publications in newspapers;

Reported the same bill with amendments;

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

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act relative to depositions of witnesses in certain cases;

Reported the same bill with amendments;

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

The same member, in behalf of the same committee, to whom was referred the bill entitled:

An act relative to public notices and advertisements in the Parish of St. Landry;

Reported the same bill with amendments;

Which was read for the first time by the