# SUPPLEMENT TO THE DAILY BEE.

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## LOUISIANA LEGISLATURE

### Journal of the Senate.

*First Session—Fourth Legislature.*

TUESDAY, 24th February, 1852.

The Senate met pursuant to adjournment.

Present, Hon. J. B. Plauche, Lieut. Governor and President of the Senate in the Chair, and twenty-one Senators.

Mr. Cole, having, on yesterday, voted with the majority on the final passage of

"An act, relative to prescription," moved to reconsider the vote, which motion was carried.

The bill being then before the Senate, on the second reading,

The same Senator offered the following as an additional section to said bill.

"Be it further enacted, &c., That all promissory notes, whether the same be negotiable or otherwise, shall be prescribed by five years."

On motion, the above section was adopted.

On motion, the bill as amended, was passed with its title.

The Secretary was directed to request the concurrence of the House thereto.

Mr. Gardere, on behalf of the committee on enrollments reported as correctly enrolled the following Joint Resolution originated in the Senate.

Joint Resolution, authorizing the State Engineer to draw for the necessary expenditures of his department on the presentation of the usual vouchers, etc.

The same member also reported as correctly enrolled the following bills and resolutions originated in the House:

"An act to increase the number of jurors in the parish of East Baton Rouge."

"An act to authorize Cesar Philippi and his wife Adele Baird, by first marriage Mrs. Bernaski, to adopt Charles Bernaski, and to change his name to Charles Philippe."

"Joint resolution requesting our Senators and Representatives in Congress to use their best exertions to establish a weekly mail between Thibodaux and Lockport."

"An act to prevent the making of cut-offs by individuals."

"An act to provide for the manner of taking the sense of the people upon certain amendments to the Constitution, which passed the General Assembly in 1850 and 1852."

"An act to authorize the sale of a tract of land belonging to the State, adjoining the Raccourci cut-off."

"An act for the relief of Jacob Piper."

"An act to create the parish of Wynn."

The same Senator, without previous notice, introduced,

"An act to authorize Leon Claude and his wife Eugenie Boudry, by first marriage, Mrs. Jean Degaille, to adopt Camille Bernard Degaille, and to change his name to Camille Bernard Claude."

On motion, the rules were suspended, the bill underwent its several readings and passed.

Mr. J. N. Carrigan, the Governor's private Secretary, informed the Senate that he had approved and signed the following entitled bills.

An act to consolidate the city of New Orleans and provide for the government and administration of its affairs.

An act, supplementary to an act to consolidate the city of New Orleans, and provide for the incorporation of the city of Lafayette within the city of New Orleans.

An act to authorize Adolphe Aime Uesin Avenel of New Orleans, to adopt a white child named Aime Anatole.

An act, relative to Levees in the parish of Rapides.

The President laid before the Senate, a communication from G. W. Bayley, assistant engineer, in obedience to a resolution, passed by the Senate, requesting the State Engineer to report to the Senate, what particular works the State Engineer has been employed on, in the third District Internal Improvement District, during the last two years, &c., &c.

On motion of Mr. Phelps, the report was ordered to be printed.

Mr. Richardson of Ouachita, obtained leave to introduce

An act to provide for the sale of swamp and overflowed lands, granted to the State of Louisiana, and to grant the right of pre-emption thereon.

On motion, the rules were suspended, the bill was read a first and second time and referred to the committee on public lands and levees.

The same Senator, moved for a call of the Senate and the following Senators answered to their names:

J. B. Plauche, Lieutenant Governor and President of the Senate, in the chair.

Messrs. Baker, Cade, Clark, Cole, Dorsey, Gardere, Kenner, Labauve, Lacoste, Mayo, Moore, Phillips, Provosty, Richardson, of Ouachita, Richardson, of Washington, Sandidge, Tatman, Wickliffe, 17 Senators, a quorum present.

By a message from the House, through their chief clerk, the Senate was informed of the concurrence of the House to the amendment of the Senate to the following entitled bill:

An act for the relief of the successors of Thomas H. Roddy, deceased, late Sheriff of the parish of St. Helena.

And also, requested the concurrence of the Senate to the amendment of the House to the following entitled bill of the Senate.

An act, relative to rules of succession proper.

On motion of Mr. Lakeuve the Senate concurred in the amendment of the House to the above bill.

The chief clerk of the House also informed the Senate that the speaker of the House had signed the following enrolled bills of the Senate.

An act to incorporate the town of Bastrop.

An act to authorize the Governor to borrow money to defray the expenses of the state.

An act to create an additional justice of the peace and a constable in and for the parish of Lafayette, and

An act to amend the first section of an act to grant certain privileges to the town of Harrisonburg, approved, March 11th, 1826.

He also requested the signature of the President of the Senate to the enrolled bill of the House, entitled,

An act to amend an act entitled an act to incorporate the town of Plaquemine in the parish of Iberville, approved May 27th 1846,

and requested also, the concurrence of the Senate to the following entitled bills.

An act regulating the manner of making judicial sales.

An act to reorganize the Internal Improvements department of the State.

An act to repeal an act entitled an act to appoint commissioners to lay out a road from Trinity to Whatley's ferry on the lake of Catahoula.

An act to provide for the execution of slaves and the punishment of crime.

An act to organize specifically the time at which public officers shall make their reports to the General Assembly.

An act relative to interest on debts.

An act to encourage ship building in Louisiana.

An act to authorize the police juries of the several parishes in this State to provide for the support of the poor and necessitous within the respective parishes.

Mr Cole from the committee of claims reported favorably on the following entitled bills.

An act for the relief of doctor Charles H. Wagner.

An act for the relief of Benjamin F. Thompson and others.

And an act for the relief of Thomas Lacroix.

On motion of Mr Cade, the Senate took up the act to change the time of holding the sessions of the District court in the fourteenth judicial district so far as the parish of St. Martin is concerned.

On motion, the rules were suspended, the bill underwent its several readings and passed.

*SPECIAL ORDER OF THE DAY.*

An act more specifically to fix and define the duties of parish recorders and notaries public.

*Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened,* That the parish Recorders and Notaries Public in the State shall be entitled to receive the following fees and no more.

For writing original acts, ten cents for every hundred words.

For recording all acts, ten cents for every hundred words.

For copying all acts, ten cents for every hundred words.

For every necessary seal and certificate to each notarial act, seventy-five cents.

For seal and certificate to any copy, when required, fifty cents.

For securing proof, and making out process verbal for and in execution of an act under private signature, fifty cents.

For certificate of mortgages, with seal, one dollar, and for every hundred words after the first four hundred, ten cents.

For canceling a mortgage, twenty-five cents.

For affixing seals on estates of minors, two dollars,

and for taking off the same, with process verbal, one dollar.

For affixing seal to any act, when required by law, twenty-five cents.

For administering and swearing each appraiser or expert, twenty-five cents.

For every tutor and recorder or notary shall be actually and necessarily employed in making an inventory or partition, in full compensation for their services, fifty cents.

For every mile actually and necessarily traveled by them, in the execution of the duties of their office, in full compensation for their time and mileage, ten cents.

For holding family meeting, one dollar; and for drawing up process verbal of their deliberations, ten cents for every hundred words.

On the above section being read, Mr Snyder moved to strike out the words, "for affixing seal to any act, when required by law, twenty-five cents." Said motion prevailed and the words were stricken out.

The same Senator then moved to strike out in the same section the words "fifty cents," and to insert in lieu thereof the words "one dollar."

Mr Sandidge moved to lay the amendment on the table.

On said motion, Mr. Cole called for the yeas and nays which resulted as follows:

J. B. Plauche, Lieut. Governor and President of the Senate in the chair,

Messrs. Baker, Cade, Clark, Cole, Dorsey, Gardere, Kenner, Labauve, Lacoste, Mayo, Moore, Phillips, Provosty, Rich rdson, of Washington, Sandidge, Tatman, 10 voted in the affirmative and

Messrs. Clark, Cole, Kenner, Labauve, Robb, Snyder, and Wickliffe—7 voted in the negative.

Consequently said motion prevailed and the amendment was laid on the table.

Mr. Sandidge then moved to strike out the words "ten cents" and insert "five cents" in lieu thereof in that part of the section which reads as follows.

"For every mile actually and necessarily traveled by them in the execution of the duties of their office, in full compensation for their time and mileage, ten cents."

Mr. Kenner moved to lay the amendment on the table.

On said motion the yeas and nays were called for and resulted as follows:

J. B. Plauche, Lieut. Governor and President of the Senate in the Chair, Baker, Clark, Cole, Dorsey, Gardere, Kenner, Labauve, Lacoste, Martin, Mayo, Phillips, Provosty, Richardson, of Washington, Richardson, of Ouachita, Robb, Snyder, and Wickliffe—16 voted in the affirmative.

And Messrs. Moore, Sandidge, and Tatman—3 voted in the negative.

Consequently said motion prevailed, and the amendment was laid on the table.

Mr. Snyder moved to insert after the words "for their time and mileage, ten cents," the following words, "except when travelling by water they shall receive 20 cents per mile."

On motion the above amendment was adopted, and on a further motion the section as amended was adopted.

The 2d and last section being read was adopted.

On motion the rules were suspended, the bill was read a third time and passed.

The Senate then took up in the special order of the day,

An act, providing for the subscription by the parishes and cities of this State to the stock of corporations undertaking works of internal improvement and for the payment and disposal of the stock so subscribed.

The 1st and 2d sections being read, were, on motion, severally adopted.

On the 3d section being read as follows:

Sec. 3. Be it further enacted, &c., That no ordinances passed under the provisions of this act, shall be valid or take effect, until it shall have been approved and ratified by a majority of the voters on whose property the tax is proposed to be levied, at an election to be held specially for that purpose in the order of the police jury or municipal corporation passing such ordinance: Provided, however, that if such ordinance shall be rejected by the majority of the voters, it shall be lawful, at any subsequent period again to take the sense of the voters, in the same manner as at the first election, and at intervals of not less than six months.

Mr. Phillips moved to strike out in the above section the word "majority," and to insert in lieu thereof the words "three fifths."

On said motion the yeas and nays were called for and resulted as follows.

Hon. J. B. Plauche in the Chair,

Messrs. Mayo, Moore, Phillips, Richardson, of Ouachita, Richardson, of Washington, Snyder, and Wickliffe—7 voted in the affirmative.

And Messrs. Baker, Cade, Clark, Cole, Dorsey, Gardere, Kenner, Labauve, Lacoste, Martin, Provosty, Robb, Sandidge, and Tatman—13