SUPPLEMENT TO
THE BEE.
THURSDAY, APRIL 2, 1835.

State of Louisiana.

TWELFTH LEGISLATURE—1st SESSION.

HOUSE OF REPRESENTATIVES.

TUESDAY, 3d March, 1835.

The house met, agreeably to adjournment.

Mr Dixon presented the petition of De Dame, of New Orleans, praying for certain relief, and moved that said petition be referred to the committee on claims—said motion was adopted.

Mr Bry offered the following resolution, to wit:

Resolved that the senate and house of representatives of the state of Louisiana, in general assembly convened, that the board of public works be, and they are hereby directed to cause to be examined and surveyed the Bayou [illegible] in the parishes of Ouachita and Catahoula, from the mouth to the prairie Mer Rouge landing, and report to the next session of the Legislature the cost of clearing out all obstructions, [illegible] steamboats [illegible]

On motion, ordered, that the house dispense with their rules and proceed to the second reading and consideration of said resolution.

On motion, ordered, that the same be adopted.

The clerk was directed to request the concurrence of the senate in the same.

Mr Richardson, agreeably to previous notice, introduced a bill entitled "an act to grant an appropriation for the purpose of building and constructing a bridge over Thompson's creek, between the parishes of East and West Feliciana."

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

Mr Ogden gave notice that to-morrow, or on a future day, he will introduce a bill entitled "an act providing for the recovery of [illegible]"

Mr Montegut, agreeably to previous notice, introduced a bill entitled "an act to incorporate the New Orleans St Andrews society." Which was read for the first time, and ordered for a second reading on to-morrow.

The speaker laid before the house the following message received yesterday [illegible]

NEW ORLEANS, 2d March, 1835.

To the Senate and House of Representatives:

By the act of 17th March, 1818, (2d Moreau Digest, page 21[illegible]) it is provided that [illegible] every two years the governor [illegible] physician to attend on the [illegible] the jail at New Orleans, at a compensation of 300 dollars per annum.

By the removal of the convicts to the penitentiary house at Baton Rouge a material change would seem to have been produced in the circumstances under which the aforesaid [illegible] passed.

I would suggest to the legislature the consideration whether it might not be expedient to make some consequent modification of the law.

E. D. WHITE,
Gov. of the State of La.

On motion, ordered that said message be referred to the committee on penitentiary.

The speaker laid before the house the other following message:

NEW ORLEANS, 2d March, 1835.

To the Senate and House of Representatives:

There is a subject which I deem it my duty to submit for the consideration of the legislature. Various applications are made to the executive for the appointment of officers, especially coroners, parish surveyors and justices of the peace, in place of persons holding such commission, and who have permanently removed from the jurisdiction within which their duties were to be performed. The law not having defined what shall amount to a vacation of the office, it is not easy to determine what rule the executive can adopt in relation to the subject matter, by appointing others to succeed the previous incumbents, who appear, by the archives, to be still in office. It is apprehended that questions of [illegible] might be raised, affecting the rights of property.

I therefore submit the expediency of providing for the case by a law specifying the circumstances under which new appointments may be made.

E. D. WHITE,
Gov. of the state of La.

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

The speaker appointed Messrs. Penn, Sparks and Winn on said committee.

The speaker laid before the house a communication of the clerk of the court of the parish of Livingston, making the returns required by law.

On motion, ordered that the same be laid on the table.

Mr McAllister moved for the reconsideration of the bill entitled "an act to authorise the treasurer of the state to subscribe five hundred shares on the part of the state to the capital stock of the Atakapas and Lafourche canal company, and for other purposes."

Said motion having prevailed,

The house took up said bill.

On motion of Mr McCallister, ordered, that said bill be laid on the table, subject to the call of the house.

Mr Richardson moved that the house dispense with their rules, and proceed to the consideration of the bill entitled "an act further to amend the charter of the West Feliciana railroad company."

Said motion having prevailed, the house [illegible] said bill.

Mr Richardson offered [illegible]

On motion, ordered that said [illegible]

On motion, ordered that said bill [illegible] amended [illegible]

The clerk was directed to request the concurrence of the senate in the same.

On motion of Mr [illegible] the house having dispensed with their rules, took up the bill entitled [illegible]

[illegible]

[illegible] retains its title.

The clerk was directed [illegible] rence of the senate [illegible]

Mr Davidson moved that the house [illegible] the first section of the bill entitled "An act granting certain privilege to Felix Garcia."

Said motion having [illegible] said bill.

On motion of Mr [illegible]

[illegible] be referred to a special committee of three members.

The speaker appointed Messrs Augustin, [illegible] Ducros and Davidson members of said committee.

ORDER OF THE DAY.

The bill coming from the senate, and entitled "an act to amend the act entitled an act to incorporate the Clinton and Port Hudson railroad company," was read for the first time and ordered for a second reading on to-morrow.

The bill entitled "an act relative to the male orphan asylum," was read a second time and ordered for a third reading on to-morrow.

The house resumed the consideration of the bill entitled "an act granting a compensation to the state treasurer."

Mr Augustin moved for the reconsideration of the substitute offered by Mr Winn, and adopted yesterday.

Said motion having prevailed, the house took up said substitute.

Mr [illegible] having moved to reject the same, the yeas and nays were called for, when it appeared that Messrs Armand, A[illegible], Brashear, Breaux, Davidson, Debuys, Delachaise, Dixon, [illegible] Ducros, [illegible] Montegut, Ogden, Ory, Patin, [illegible] voted in the affirmative—[illegible] yeas.

And that Messrs Bickham, Breazeale, Breed, Briggs, [illegible] McCallister, [illegible] Sheldon, [illegible] Thibodeaux and Winn had voted in the negative [illegible]

Said substitute was consequently rejected.

[illegible]

Mr [illegible] persons already exempted by the existing laws.

On the question for the adoption of said amendment the yeas and nays were called for, when it appeared that Messrs [illegible] Briggs, Ant. Ducros, Landry, Laverge, Lewis, Montegut, Ory, Patten, Sibley and A. B. Thibodeaux had voted in the affirmative—11 yeas.

And that Messrs Bickham, Breazeale, Breed, Davidson, [illegible] Dixon, P. A. Ducros, Frere, Guillot, Johnson, [illegible] Milligan, Penn, Richardson, Sheldon, [illegible] and Winn had voted in the negative—17 nays.

Consequently, said motion was rejected.

Said bill having been adopted,

On motion, ordered that said bill do pass and retain its title.

The clerk was directed to inform the senate thereof.

By the same message the house has been informed that the committee of enrollment having reported as duly enrolled the bill entitled

"An act to incorporate the commercial insurance company, approved on the 6th day of March, 1834," the signature of the speaker is requested thereto.

Mr Ducros, chairman of the committee of enrollment has [illegible] the same as duly enrolled.

The speaker signed said bill and the clerk was directed to inform the senate thereof.

By the same message the house was informed that the senate had concurred in the amendments made by the house to the bill entitled

"An act to incorporate the Roman Catholic church of St John the Baptist, West Baton Rouge."

The house took up the bill entitled

"An act to provide for the draining and clearing of the swampy grounds and cypress swamps, situated between the city of New Orleans, its incorporated suburbs and lake Pontchartrain."

Which had been made the special order for to-day.

During the discussion of the second section, which reads as follows:

"Be it further enacted, That the said company shall be styled the New Orleans draining company, and that it shall be created and established with a capital of [illegible]

[illegible]

Brashear called for the yeas and nays, when it appeared that all the members present voted in favor of the same, to wit:

Messrs Augustin, Bickham, Brashear, Breazeale, Breed, Briggs, Davidson, Debuys, Delachaise, Dixon, [illegible]

[illegible]

W. BRASHEAR,
Chairman.

On motion ordered that said report be adopted.

A message was received from the senate by Mr Davis, their secretary, requesting the concurrence of the house in the following bills, which were read for the first time:

"An act [illegible] New Orleans and Nashville [illegible]"

"And an act to amend an act [illegible] to regulate the administration of the [illegible] city of New Orleans, approved March 7, 18[illegible]."

On motion, the house having dispensed with their rules, proceeded to the 2d and 3d readings of said last above mentioned bill.

The first section having been adopted,

Mr Montegut offered an additional section, which was [illegible]

Said bill having been adopted as amended,

On motion, ordered that said bill do pass as amended.

The clerk was directed to inform the senate thereof and request their concurrence in the amendment made by the house.

Mr Landry having moved for an adjournment, the yeas and nays were called for, when it appeared that Messrs [illegible] Guillot, [illegible] Lambremont, Landry, [illegible] Ory, Sibley and A. B. Thibodeaux had voted in the affirmative—11 yeas.

And that Messrs Bickham, Breazeale, Breed, Briggs, [illegible] Dixon, A. Ducros, [illegible] Lewis, [illegible] Richardson, Wilson and Winn had voted in the negative—[illegible] nays.

Said motion was consequently lost.

On motion of Mr Winn, the house having dispensed with their rules, took up the bill coming from the senate entitled

"An act to make additional election precincts in the par[ish] [illegible]"

On motion, ordered that said bill be taken section by section.

The several sections having been adopted,

On motion, ordered that said bill do pass and retain its title.

The clerk was directed to inform the senate thereof.

On motion of Mr Dixon, the house having dispensed with their rules, took up the bill entitled [illegible] firemen's charitable association [illegible] coming from the senate.

On motion, ordered that said bill be taken section by section.

The several sections having been adopted,

On motion, ordered that said bill do pass and retain its title.

The clerk was directed to inform the senate thereof.

Mr Winn having moved for adjournment, the yeas and nays were called for, when it appeared that Messrs [illegible] Briggs, Dixon, Delachaise, A[illegible] Ducros, Guillot, Jaudrion, Lambremont, [illegible] McCallister, Milligan, Ory, Patten, Sibley and Winn had voted in the affirmative—19 yeas.

And that Messrs Bickham, Brashear, Breed, Davidson, [illegible] Montegut, Ogden, Penn, Richardson, Sheldon and Wilson had voted in the negative—11 nays.

Said motion having prevailed,

The house adjourned until to-morrow at 9 o'clock A. M.

WEDNESDAY, March 4, 1835.

The house met, agreeably to adjournment.

On motion, ordered, that leave of absence for the balance of the session be granted to Messrs Bry and Breaux.

On motion of Mr Landry, Mr Alexander Covillier has been appointed clerk of the house of representatives pro tempore, during the illness of [illegible] Esq.

On motion of Mr Lewis, ordered, that two additional members be appointed on the committee on claims.

The speaker appointed Messrs Sparks and Milligan.

Mr Augustin, chairman of the special committee to whom has been referred the bill to grant a certain privilege to Felix Garcia, made the following report:

The special committee to whom has been referred the bill to grant a certain privilege to Felix Garcia, a planter in the parish of St John the Baptist, for an invention in the [illegible] beg leave to report, that your committee has considered that the state of Louisiana has always the right of granting certain privileges to individuals or companies for the [illegible] internal, or agricultural, interest of the country [illegible]

[illegible]

D. AUGUSTIN, Chairman.

On motion, ordered that said report be adopted [illegible]

[illegible]

On motion, ordered that the house dispense with their rules, and proceed to the second reading of said bill.

And on motion, the house having again dispensed with their rules, proceeded to the third reading and consideration of said bill.

On motion, ordered that the same do pass and retain its title.

The clerk was directed to request the concurrence of the senate in the same.

[illegible]

On motion, ordered that the same do pass and retain its title.

The clerk was directed to request the concurrence of the senate [illegible]

[illegible]

That they have carefully examined the various laws prescribing the duties of the attorney general, [illegible] for the performance thereof. But your committee deem it necessary to advert only to an act approved on the 22d February, 1817 and to an act approved on the 6th of March, 1827. By the former of these acts it is made the duty of that officer and the several district attorneys in the state to prosecute or sue in all cases, either civil or criminal, where the state shall be a party. The language of this statute seems to be sufficiently broad to embrace every possible case where it can be necessary, on the part of the state to sue, and allows no additional compensation beyond the specific salaries of those officers. Your committee have examined several other laws imposing specific duties upon those officers, and allowing them no [illegible] annual salaries [illegible] act of 1827 taken separately and apart from all other provisions in relation to the duties of those officers, would seem to furnish plausible ground for claiming [illegible] all sums recovered for the state [illegible] in the performance of their ordinary duties [illegible] By this statute it is made the duty of the attorney general and the several district attorneys within their respective districts, to pursue, on behalf of the state, such legal measures as they may deem expedient for the recovery of all claims of the state [illegible] annually to the treasurer of the state, before the meeting of the legislature, and the second section of the same act provides that the said attorneys shall be allowed a compensation of five per centum on the amount by them recovered and paid into the state treasury [illegible]

[illegible] your committee feel themselves justified in the present case, as they are of opinion that the second section of said statute was intended to apply only to cases contemplated in the first, which cannot be well ascertained from an examination of the language of the statute alone, the investigation has satisfied your committee that they did not err in their apprehension that the law was passed for an especial object, which it is believed was not to impose any duty unprovided for in former laws, but to elicit the more active vigilance and [illegible] of those officers [illegible] which it was believed, at the time to exist to a very considerable extent [illegible] was not likely to come under their notice in ordinary [illegible] of their official duties. If, therefore, your committee have not erred in their investigation, the claim now under consideration cannot come within the act of operation of 1817.

But your committee are not insensible to the importance of the services rendered by the attorney general to the state, and [illegible] distinguished talents and perseverance which have been devoted to her interest in this cause. The labor of investigation must have been very great, far beyond what is ordinarily contemplated among the peculiar duties of that officer. The cause was commenced under many embarrassing circumstances, and terminated much to the honor of the council who conducted it, and it is believed, to the entire satisfaction of the state. [illegible] Your committee beg leave further to report [illegible]

All of which is respectfully submitted.

E. MONTEGUT,
Chairman of the House.
B. G. [illegible],
Chairman of the Senate.

On motion, ordered that said report be adopted.

The same member introduced together with the above report a bill entitled

"An act granting additional compensation to Etienne Mazureau, Esq. attorney general, for extra services." Which was read for the first time and ordered for a [illegible]

[illegible]

[illegible] A. B. Thibodeaux and [illegible] in the affirmative—23 yeas;

[illegible] Brashear, Frere, [illegible] Richardson, Sparks [illegible] nays.

[illegible] consequently adopted.

[illegible] sections having [illegible]

[illegible] Messrs Armand, [illegible] Richardson, [illegible] affirmative—9 yeas [illegible]

[illegible]

Patten, Roussell, Sheldon, [illegible] Thibodeaux and Wilson had voted in the negative—[illegible] nays.

Said motion was consequently [illegible]

Mr Breazeale having called for the previous question, the yeas and nays were called for [illegible] was put in the following [illegible]

Shall the previous question be now put?

When it appeared that Messrs A[illegible], Bickham, Brashear, Breazeale, Breed, [illegible] Ducros, Guillot, Patten, Sibley and Sparks had voted in the affirmative—11 yeas.

And that Messrs Armand, Briggs, Debuys, Labatut, Landry, Laverge, Lewis, McCallister, Montegut, [illegible] Ogden, Ory, Patin, Richardson, Roussell, Sheldon, [illegible] Thibodeaux and Winn had voted in the negative—[illegible] nays.

Said motion was consequently rejected.

[illegible]

On the question for the adoption of said bill, Mr [illegible] called for the yeas and nays, when it appeared that Messrs [illegible] Breazeale, Breed, David[son], Debuys, [illegible] Ory, Roussell, Sheldon, Sibley [illegible] had voted in the affirmative—[illegible]

And that Messrs Augustin, Bienvenu, Brashear, Briggs, Delachaise, Landry, Laverge, Montegut, Ogden, Patin, [illegible] Johnson, Sparks and Wilson had voted in the negative—14 nays.

Said section was consequently adopted.

A motion, ordered that said bill do pass by the following title

"An act to divorce Vincent [illegible] and [illegible] Montgomery and others from the bonds of matrimony."

The clerk was directed to inform the senate thereof and request their concurrence in the amendments of the house.

ORDER OF THE DAY.

The bill from the senate entitled

"An act supplementary to the act incorporating the Orleans and Nashville rail-road company,"

Was read for the first time, and ordered for a second reading on to-morrow.

The following bills underwent their 2d reading and were ordered for a third reading on to-morrow:

"An act to amend the act to incorporate the Clinton and Port Hudson rail road company."

"An act to enlarge the jurisdiction of the parish court of the parish of Jefferson, and to organize a court to be styled the city court of the city of Lafayette."

"An act to grant an appropriation for the purpose of building and constructing a bridge over Thompson's creek, between the parishes of East and West Feliciana."

"An act to incorporate the New Orleans St Andrews society."

"And an act to incorporate the town of Thibodeauxville in the parish of Lafourche Interior."

A message from the senate by Mr Davis their secretary, informing the house that the senate had concurred in the resolution instructing our senators and representatives to endeavour to obtain a grant of land for the benefit of the Atchafalaya rail road and banking company.

By the same message the house has been informed of the concurrence of the senate in the resolution relative to the improving of the bayou Teche.

The house took up the bill from the senate entitled "an act to repeal the 1st, 2d and 3d [illegible] an act entitled an act for the relief of the parish of Orleans, approved 6th March 1830."

During the discussion of said bill, on motion, ordered that the same be laid on the table, subject to the call of the house.

The house took up the bill coming from the senate, entitled "an act relative to publications and advertisements required by law in the parish of Orleans."

The first section having been adopted,

Mr Montegut offered an additional section, which was also adopted.

Mr Winn having offered an additional section, dispensing with the publication of advertisements in French, except in the case where the French language is the maternal tongue of one of the parties interested in the parish of Rapide,

Mr Patton moved to amend the same by including the parishes of Carroll and Concordia in the provisions of said section.

The yeas and nays were called for by Mr Roussell, when it appeared that Messrs Augustin, Brashear, Breazeale, Breed, Briggs, Davidson, Delachaise, Frere, Landry, Lewis, McCallister, Milligan, Ogden, Ory, Patin, Patten, Richardson, Sibley, Wilson and Winn had voted in the affirmative—20 yeas.

And that Messrs Armand, Bienvenu, P. A. Ducros, Jaudrion, Labatut, Lambremont, Laverge, Montegut, [illegible] Sheldon and A. B. Thibodeaux had voted in the negative—[illegible] nays.

Said amendment was consequently adopted.

The several sections having been adopted,

On motion, ordered that said bill do pass as amended, by the following title:

"An act relative to publications and advertisements required by law in the parish and city of New Orleans, and for other purposes."

The clerk was directed to inform the senate thereof and request their concurrence in the amendments of the house.

On motion of Mr Augustin the house having dispensed with their rules, took up the bill coming from the senate, entitled "an act to authorise the state treasurer to present in the name of the state of Louisiana, to the district courts of the United States for the eastern and western districts of Louisiana, a copy of Martin's Reports, now published, and for the other purposes therein mentioned."

On motion, ordered that said bill be taken section by section.

The several sections having been adopted,

On motion, ordered that said bill do pass and retain its title.

The clerk was directed to inform the senate thereof.

A message was received from the senate by Mr Davis, their secretary, informing the house that the senate had concurred in the amendments of the house to the bill entitled

"An act to continue in force the charter of the Roman Catholic congregation of the parish of St Charles, in the county of German Coast, approved 18th March, 1820, and the act amending the [illegible] approved [illegible] 1822."

On motion, the house adjourned until to-morrow at 10 A. M.

SALES AT AUCTION.

[illegible]

[illegible] to the subscriber, [illegible] bay horse, [illegible]

MARTIAL ST GERMAIN.