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*Inventory of the Parish Archives
of Louisiana*

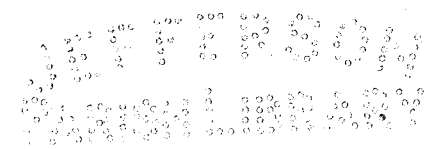
No. 26. JEFFERSON PARISH (GRETNA)

Prepared by

THE HISTORICAL RECORDS SURVEY
DIVISION OF PROFESSIONAL AND SERVICE PROJECTS
WORK PROJECTS ADMINISTRATION

THE DEPARTMENT OF ARCHIVES
LOUISIANA STATE UNIVERSITY

Historical Records Survey, Louisiana.



INVENTORY OF THE PARISH ARCHIVES
OF LOUISIANA /

Prepared by
The Historical Records Survey
Division of Professional and Service Projects
Work Projects Administration

No. 26. JEFFERSON PARISH (GRETNA)

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University, Louisiana
The Department of Archives
Louisiana State University
January 1940

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PARISH OF JEFFERSON
1939

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PARISH OF JEFFERSON
1939

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District Judge (24th District)	L. Robert Rivarde
District Attorney (24th District)	John E. Fleury
Assistant District Attorney	Ernest Martin Conzelmann
Representative	Alvin T. Stumpf
Sheriff and ex officio Tax Collector	Frank J. Clancy
Clerk of Court and ex officio Recorder	Vic A. Pitre
Assessor	George Heebe
Coroner	M. M. Odom
Superintendent of Education	J. C. Ellis

FOREWORD

The Inventory of the Parish Archives of Louisiana is one of a number of bibliographies of historical materials prepared throughout the United States by workers on the Historical Records Survey of the Work Projects Administration. The publication herewith presented, an inventory of the archives of Jefferson Parish, is number 26 of the Louisiana series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county (parish), and also the needs of lawyers, business men and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by the Historical Records Survey attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county (parish), town, and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of the Historical Records Survey, even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their cooperation is gratefully acknowledged.

The Survey was organized and has been directed by Luther H. Evans, and operates as a nation-wide program in the Division of Professional and Service Projects, of which Mrs. Florence Kerr, Assistant Commissioner, is in charge.

F. C. HARRINGTON
Commissioner

PREFACE

The Historical Records Survey began operations in Louisiana in March 1936, under the supervision of Lyle Saxon, State Director of the Writers' Project, who also acted as State Director of the Historical Records Survey. In November 1936, the survey became an independent part of Federal Project No. 1. Its administration and operation in Louisiana, however, remained unchanged until March 10, 1937, when John C. L. Andreassen became the State Director of the Historical Records Survey. The Federal Project No. 1 passed out of existence August 31, 1939, but the Historical Records Survey has been continued in Louisiana as a state-wide project in the nation-wide WPA Historical Records Survey Program, under the national direction of Dr. Luther H. Evans. The Louisiana project is under the sponsorship of the Louisiana State University Department of Archives. It is now operating under the supervision of John C. L. Andreassen, State and Regional Supervisor, and Vergil L. Bedsole, Supervisor.

The Inventory of Parish Archives in Louisiana will, when completed, consist of a separate volume for each parish of the state. Each unit of this series is numbered according to its respective position in the alphabetical list of parishes. Thus the Inventory for Jefferson Parish herewith presented is No. 26. The inventories of state archives and of municipal and other local records will constitute separate series of publications.

A consultation of the table of contents of this volume will show that the inventory is divided into two parts. The first is composed of introductory material: a short general summary of the governmental organization of a parish, with explanatory charts; an essay on the housing, care and accessibility of the parish records, with floor plans of the courthouse; and a list of abbreviations and explanatory notes. The historical sketch has been omitted from this volume, since one prepared by Survey workers has already been published in the Jefferson Parish Yearly Review, New Orleans, 1939, pp. 127-183. This volume published in an edition of 15,000 copies, has been distributed to the Survey mailing list.

The second part of this volume is devoted to the inventory of the records of the parish. The parish offices and agencies are grouped under the following classifications: administrative, recording, judicial, law enforcement, fiscal, and miscellaneous agencies. It should be pointed out that the ex officio duties of the clerk of court, and of the sheriff, are treated in separate numbered sections. This has been done because each of these officers discharges two major functions which deserve equal emphasis. The list of records under any particular office is arranged topically and, as far as possible, according to the procedure of the office. Each listing of records is preceded by a brief essay treating of the legal status and evolution of the office, designed to give a better understanding of the records system. A condensed form of entry is used which gives the limiting dates and number of volumes or containers, a brief description of the contents of each, information relative to indexes, and the location.

The field survey in Jefferson Parish was begun on October 20 and finished November 16, 1936. This field inventory was thoroughly rechecked and brought up to date in April of 1939 under the supervision of Louis Hermann. The editorial staff under George Sturgis contributed the office essays and did the final editing. The pertinent legal citations have been given and the special legislation relating to Jefferson Parish, of which there is a very considerable amount, has received detailed study.

This, the eighth parish inventory prepared for publication, is issued in mimeographed form. The Jefferson Parish Police Jury have provided funds to defray the costs of publication, thus becoming a co-sponsor of the project. The Police Jury has also provided for the mimeographed duplication of the thirteen volumes of their Minutes as described in entries 1 and 3 of this volume. The first two of these volumes have already been distributed under the title, Transcriptions of Parish Records of Louisiana.

The publications of the Survey are distributed, under the sponsorship of the Department of Archives of the Louisiana State University, to state and local public officials and libraries in Louisiana, and to a limited number of libraries and governmental agencies outside the state. Requests for information concerning particular units of the Inventory should be addressed to the State Supervisor, or to Dr. Edwin A. Davis, Archivist, Louisiana State University, Louisiana. The limited number of copies of these Inventories has made necessary a planned distribution of the volumes. Each Clerk of Court has received a copy of Saint Charles, Lafayette, Calcasieu, Allen, Natchitoches, Saint Bernard, and Plaquemines Parish Inventories. It is hoped that the complete series of sixty-four volumes will eventually be deposited in each of the court-houses of the state.

The general regulations and procedures of the Professional and Service Division of the Work Projects Administration which are applicable to all project units in the forty-eight states have been followed in Louisiana. The administrative officers in Louisiana have always given the project cordial support and assistance. We wish, also, to acknowledge the interest and cordial assistance of the public officials of Jefferson Parish in the preparation and publication of this Inventory.

Henry Kneisel
State Research Editor
Historical Records Survey
OP65-1-64-34
SW-40027-2707

300 Old Criminal Court Building
New Orleans, Louisiana
December, 1939

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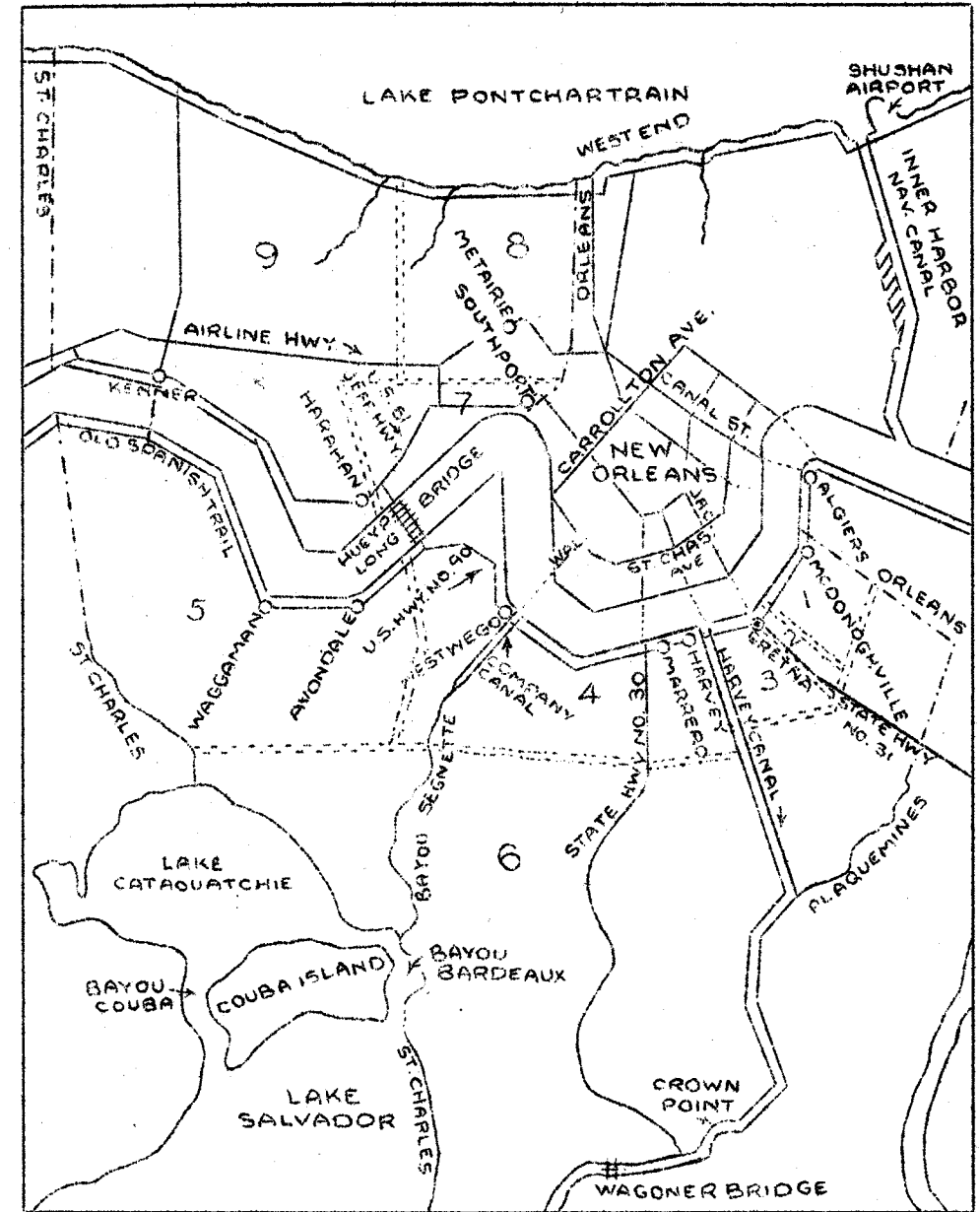
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Upper Part Of Jefferson Parish Showing All
9 Of The Ward Divisions Of The Parish

Legend

- Roads.....
- Towns.....○
- Parish Seat.....●
- Streams.....
- Bridges.....≡≡≡
- Canals.....≡≡≡
- Parish Line.....
- Ward Line.....

100 STRIPS

1. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

Present day parish government in Louisiana is the result of a compromise between two political theories. The culture, the religious and political ideals of the French and Spanish settlers had been developing in the province for nearly a century before the territory was purchased by the United States. After that purchase, a new and more democratic political ideal came to the Territory of Orleans with the influx of settlers, largely of English descent, from the north and east. It was inevitable that the differing ideals should come into conflict and that a compromise should be reached. The result is the present governmental system in state and parish. This is well illustrated in the early attempts at organizing the state. The first Civil Code (1808) was based upon the Code Napoleon with Spanish elements intercalated; the first state constitution was modeled upon the Constitution of the State of Kentucky;(1) and, in 1817, Spanish laws, not expressly or by implication repealed, were held, by the supreme court, to be still in force.(2)

Civil government in the French province of Louisiana may be considered as beginning in 1712, when Crozat was given a trade monopoly. The first definite steps, however, toward the organization of local government were taken in 1721, when the colony was divided into nine administrative districts.(3) A commandant, a judge, and, in certain instances, syndics were appointed for each. The duties of the commandant included the command of the military force in the post, and general administrative supervision over local affairs. The judge exercised jurisdiction over all civil and criminal cases in the district, and the syndics, where appointed, discharged certain minor judicial functions and, in general, assisted the commandant in carrying out the public policies of the province.(4)

Although Louisiana was ceded to Spain in 1762, it was not until November 25, 1769 that, by proclamation of Governor O'Reilly, the authority of the French law was abolished and that of Spain substituted. The governor issued, at that time, a set of "Ordinances and Instructions" for the guidance of the colony until such time as a better knowledge of the Spanish language "may enable every one, by the perusal of the aforesaid [Spanish] laws, to extend his information to every point thereof." The government set up under these instructions was highly centralized, being concentrated in the governor and the cabildo. An alcalde mayor provincial, assisted by La Santa Hermandad (the Holy

1. "Source Books of Louisiana Law, Part IV - Constitutions, Statutes, Reports and Digests," in Tulane Law Review, Tulane University of Louisiana, New Orleans, 1935, vol. IX, p. 245. The Louisiana constitution not only followed the arrangement, but in most instances quoted the exact language of the Kentucky constitution.
2. Ibid., "Part III - Spanish Laws," vol. VIII, pp. 396, 400.
3. These were New Orleans, Biloxi, Mobile, Alabama, Yazoo, Natchez, Natchitoches, Arkansas, and Illinois, Cf. R. L. Carleton, Local Government and Administration in Louisiana, Baton Rouge, 1935, p. 17.
4. Carleton, op. cit. p. 19.

Brotherhood), was given general authority over crime and misdemeanors committed in the outlying districts.(5) In addition, the province was divided into eleven districts.(6) In each of these a commandant was appointed who, beside his military authority, exercised a limited civil jurisdiction and was required to take evidence in criminal cases. This latter was sent to the cabildo at New Orleans, where the case was decided.(7) At about the same time the province was tentatively divided into twenty-one ecclesiastical parishes, but since there were only nineteen priests in the province, only that number of parishes was actually set up.(8)

In 1795, Governor Carondelet issued a decree containing regulations for the direction of the activities of the commandants and syndics of the post. Syndics, who were hereafter to be appointed upon recommendation of the commandant, were to be stationed at a distance of three leagues apart, and were to be subordinate to the latter officer. Their duties were strictly local and included the making of weekly reports to the commandant concerning local happenings, the taking cognizance of all crimes and disorders committed in their districts, the supervision of the construction and repair of roads, bridges, and causeways, the police of slaves, peddlers and travelers, and the security of livestock.(9)

Thus it will be seen that government in Spanish Louisiana was largely centralized in New Orleans and only such local officials as were essential to business and order in a pioneer community were stationed in the outlying districts. In the local areas authority was concentrated in the military commandant who acted only as the representative of the governor and cabildo for his district.

A significant change in local government took place after the purchase of Louisiana by the United States. A relatively small portion of

5. B. F. French, Historical Memoirs of Louisiana, Part V, p. 254.

6. These eleven districts were Illinois; Natchitoches; first half of the German Coast; second half of German Coast; Pointe Coupee; Opelousas; Iberville Coast, La Fourche des Chetimachas; Kabahannosse; Rapides; and St. Genevieve. Including New Orleans there were actually twelve districts, but New Orleans (which included the area later set apart as Jefferson Parish) was governed

directly by the cabildo and had no commandant. Carleton, op. cit., p. 25.

7. Carleton, op. cit., p. 23.

8. Alcee Fortier, A History of Louisiana, New York, 1904, II, p. 9. Robert Dabney Calhoun, "The Origin and Early Development of County-Parish Government in Louisiana," in La. Hist. Q., XVIII, pp. 56-160.

9. James A. Padgett, "A Decree for Louisiana issued by the Baron of Carondelet, June 1, 1795," in La. Hist. Q., XX, pp. 590-605

the province was cut off and erected into the Territory of Orleans.(10) For this territory a governor and legislative council was appointed by the president of the United States. The first actual steps in the re-organization of local government were taken in 1805. In the meantime, most of the commandants and syndics had taken the oath of allegiance to the United States and continued to exercise the same duties as formerly. But in 1805 the Territory of Orleans was divided into twelve counties,(11) and county judges and justices of the peace were appointed to succeed respectively to the duties of commandants and syndics. In many cases the same individuals served without break as Spanish commandants, commandants under the United States

10. The Territory of Orleans included all that portion of the country ceded by France to the United States, under the name of Louisiana, which lay south of the Mississippi Territory, and of an east and west line, to commence on the Mississippi River, at the 33° north latitude, and to extend to the western boundary of said cession; Acts of 8th U. S. Congress, 1st session, approved Mar. 26. The limits of the state as defined by the Constitution of 1812 were the Sabine River to the 32° north latitude, then due north to the 33°, then eastward to the Mississippi, down said river to Iberville (Bayou Manchac), along the middle of this bayou and of lakes Maurepas and Pontchartrain to the Gulf of Mexico; Const., 1812, preamble. A few months later in the same year, Congress enlarged the limits of the state of Louisiana by the addition of a part of West Florida; Acts of 12th U. S. Congress, 1st session, approved April 14, 1812. The parishes created from this tract are still known locally as the "Florida Parishes."

11. The twelve counties were: 1) Orleans, comprising St. Bernard and St. Louis Parishes, i. e. the area on both sides of the river from the Belize to St. Charles Parish; 2) the German Coast, composed of the parishes of St. Charles and St. John the Baptist; 3) Acadia, composed of the parishes of St. James and Ascension; 4) La Fourche, composed of the parish of Assumption; 5) Iberville, composed of the parish of St. Gabriel, and that portion of the parish of St. Bernard lying within the Territory; 6) Pointe Coupee, composed of the parish of St. Francis; 7) Concordia (described with geographical limits); 8) Ouachita, settlements; 9) Rapides, the settlements of Rapides, Avoyelles, Catahoula, Bayous Boeuf and Robert, and all other settlements in the vicinity; 10) Natchitoches, composed of the parish of St. Francis; 11) Opelousas, composed of the parish of St. Landry; and 12) Attakapas, composed of the parish of St. Martin. Of. Or. Terr. A., 1804-5, XXV, sec. 1. The word "parish" as here used refers to ecclesiastical parishes, previously mentioned.

until 1805, and as county judges after that date.(12)

In addition to the county judges and justices of the peace, a full set of officers was appointed for each of the counties. These included a sheriff and ex officio tax collector, a coroner, a clerk of court, and a county treasurer.(13)

The county administrative body was composed of the judge and justices of the peace. The judge appointed constables, and in conjunction with the justices, imposed taxes.(14) Furthermore, the judge acted as notary public and as recorder of conveyances and other acts.(15) The county judiciary was composed of the county court having limited civil and criminal jurisdiction,(16) the court of probates of which the county judge of Orleans County was ex officio judge,(17) and the courts of the justices of the peace with minor civil and criminal jurisdiction.(18) The superior court of the Territory, the court of last resort, went on circuit holding sessions in each county seat.(19)

After an existence of barely two years, the county unit was discarded.(20) Though other reasons have been assigned as the cause of this change,(21) it seems much more probable that the chief cause of opposition to the county system was the abrupt change from concentration of authority in one local official to the more democratic division of authority among six or more officers.(22)

12. An instance of such service is Don Miguel Cantrelle, Lt. de Infanterie, commandante, juge due Comte D'Acadie, and juge du paroisse St. Jacques successively. See I. P. A. L. St. James Parish (Convent) #47, entry 2.

13. Or. Terr. A., 1804-5, XXV, sec. 2.

14. Or. Terr. A., 1804-5, XLIII, sec. 1.

15. Or. Terr. A., 1804-5, XLIV, sec. 1.

16. Or. Terr. A., 1804-5, XXV.

17. Or. Terr. A., 1805, XIII. The court of probates also had a register of wills for the Territory.

18. See essay, Justices of the Peace, infra.

19. Or. Terr. A., 1805, II.

20. Or. Terr. A., 1807, I. The county remained only as a taxing and electoral district.

21. Carleton (op. cit., p. 30) says that trial by jury, the introduction of English as the official language, and the common law were the reasons for the change.

22. The fact that all of the county officers were superseded by a single officer, the parish judge, who discharged all of their functions, would seem to bear out this statement; cf. Or. Terr. A., 1807, I, sec. 10.

In place of the counties, nineteen civil parishes were erected,(23) and for each a parish judge was appointed. The only other officers were the justices of the peace and the constables. The judge, with the justices of the peace, and a jury of twelve of the principal inhabitants appointed by him, constituted the policy-making body for parish affairs, having charge of all matters of police, taxation, and internal improvement.(24) The judge presided over the newly created parish court, and the probate court, and in addition served as clerk of court, recorder, notary, sheriff, treasurer, coroner, tax collector, and committing magistrate.(25)

The history of local government for the next four decades is the story of the reversal of the process which substituted the parish for the county form. In other words, a gradual process of decentralization of authority took place, the all-powerful parish judge being stripped of first one duty and then another until, in 1845, his office was abolished.(26) The first of these steps was taken in 1810 when the legislature provided for the office of parish sheriff.(27) Further steps were taken after the admission of Louisiana as a state. Parishes were divided into wards and the members of the police jury made elective instead of being appointed by the parish judge as formerly.(28) This body was authorized to appoint its own secretary and treasurer. By 1824 the justices of the peace had been removed from the parish meeting, and in 1830 the parish judge was replaced as president by a member elected by and from the police jury.(29)

The judicial system was re-organized by the first state legislature.

23. These parishes were: Orleans, St. Bernard, Plaquemines, St. Charles, St. John the Baptist, St. James, Ascension, Assumption, La Fourche Interior, Iberville, (West) Baton Rouge, Point Coupee, Concordia, Ouachita, Rapides, Avoyelles, Natchitoches, St. Landry, and Attakapas, called the parish of St. Martin; Or. Terr. A., 1807, I, sec. 9. The territory at this time did not include the Florida parishes, East Baton Rouge, Feliciana, St. Helena, and St. Tammany, which were added by proclamation in 1810.

24. Or. Terr. A., 1807, I, sec. 25; ibid., XVIII, sec. 1.

25. Or. Terr. A., 1807, I, secs.

10, 11.

26. See essays on Police Jury, Clerk of Court as Recorder, Clerk of Court, and District court, infra. It is interesting to note the remarkable similarity in position and authority between the old parish judge and the present clerk of court and ex officio recorder and notary public.

27. Or. Terr. A., 1810, VIII, sec. 1; La. A., 1813, p. 142, sec. 1.

28. La. A., 1813, p. 154, sec. 1.

29. La. A., 1824, p. 134, sec. 1; ibid., 1930, p. 130, sec. 3. This latter law was abrogated in 1833 as far as Jefferson and other river parishes were concerned; cf. La. A., 1833, p. 81, sec. 2.

A supreme court was created as the court of the last resort.(30) The superior court was abolished and district courts, having practically the same jurisdiction, were established.(31) The state was divided into judicial districts, each including more than one parish, and for each of which a district judge and a district attorney were appointed.(32) The parish, probate, and justice of the peace courts remained in about the same status as formerly, but with slightly curtailed jurisdiction. For each parish there was also established the following offices: a clerk of the district court who was to serve as ex officio clerk of the parish court;(33) a coroner(34) and a sheriff who was ex officio tax collector.(35) Thus the only functions which remained to the parish judge were those of notary and recorder, presiding officer of the parish and probate courts, and, for a time, the presidency of the police jury. Though an effort had been made to establish public schools under the county system, it was not until 1821 that parish schools were organized in most of the parishes. These schools were placed in charge of five trustees appointed by the police jury.(36)

A desire to make changes in the first constitution, which was aristocratic, conservative, and difficult of amendment, led to the proposal for a constitutional convention to affect changes in the organic law relating chiefly to suffrage, representation, popular election of the governor, and the re-organization of the supreme court.(37) The constitution adopted (1845) had an important influence on local government. It made no provision for the continuation of the parish and probate courts, hence the legislature increased the jurisdiction of the district court and in a slight degree that of the justices of the peace.(38) It provided for the election of the clerk of court, the sheriff and ex officio tax collector, the coroner, and justices of the peace.(39) District judges and district attorneys, however, continued to be appointee of the governor.(40) Because the office of parish judge had been abolished by the new constitution, the legislature created the office of recorder, vesting in him the recording and notarial duties of the late parish judge. This new officer was to be elected every four years.(41) Constables, not provided for in the constitution, were also made elective by an act of legislature.(42) Aside from its other liberal provisions the constitution provided for the first free public school system by authorizing the legislature to establish free public schools and raise funds for their support by taxation. As a result a state "Free School Fund" was created; parish superintendents were to be elected in each parish for a term of

30. La. A., 1813, p. 18, sec. 1.	37. "Source Books of Louisiana Law, Part IV," loc. cit., IX, p. 245.
31. La. A., 1813, p. 18, sec. 4.	38. La. A., 1846, #107; <u>ibid.</u> , #125, sec. 14.
32. La. A., 1813, p. 18, secs. 3, 4, 21.	39. Const., 1845, arts. 81-83.
33. La. A., 1813, p. 18, sec. 22.	40. Const., 1845, art. 45.
34. La. A., 1814, p. 2, sec. 6.	41. La. A., 1846, #104, sec. 1.
35. La. A., 1813, p. 142, sec. 1.	42. La. A., 1846, #118.
36. La. A., 1821, p. 62; <u>cf.</u> also <u>ibid.</u> , 1819, p. 52; and <u>Or. Terr. A.</u> , 1804-5, XXX.	

four years; and school directors were to be elected for each school district of the parish.(43)

The Constitution of 1852 was proposed and adopted in response to the popular demand for a still more democratic government as well as a desire to pledge the credit of the state in order to aid internal improvement companies.(44) It made but one change in matters affecting strictly local government, namely, by empowering the legislature to abolish the office of superintendent of public education. Accordingly, the office of parish superintendent was abolished and his authority delegated to the president of the police jury and to the board of school directors.(45) Furthermore, the constitution provided for the election of district judges and district attorneys, who had hitherto been appointees of the governor.(46)

The Constitution of 1861 was practically the same as the preceding one, only such changes being made as were necessary to conform to the Constitution of the Confederate States of America.(47)

In 1864 a new constitution was drafted and adopted by a convention which met at New Orleans under the protection of General Banks, commanding the Military Department of the Gulf, but only nineteen parishes were represented. It was ratified by popular vote but was not recognized by Congress.(48)

In 1867 the legislature issued a call for a constitutional convention, but shortly afterwards repealed the act, since the United States Congress had, in the meantime, passed the Reconstruction Acts.(49) In accordance with these acts General Sheridan called an election on the question of a constitutional convention. The vote was affirmative and the convention met in November 1867. The constitution was submitted to the people and ratified on August 18, 1868. This constitution, generally referred to as the "Carpet Bag" Constitution, tended to concentrate authority in the state.(50) Some parish officers, such as the tax assessor and constables, who had been elective since 1845, were made appointees of the governor.(51) In 1871, the police juries were re-organized.(52) Jefferson Parish, however, was specifically exempted from

43. Const., 1845, art. 134; <u>La. A.</u> , 1847, #225.	48. B. R. Miller, <u>The Louisiana Judiciary</u> . Baton Rouge, 1936, p. 37.
44. "Source Books of Louisiana Law, Part IV," <u>loc. cit.</u> , IX, p. 245.	49. <u>La. A.</u> , 1867, #25, repealed by <u>ibid.</u> , 1867, #144.
45. Const., 1852, art. 135; <u>La. A.</u> , 1852, #310, sec. 1.	50. "Source Books of Louisiana Law, Part IV," <u>loc. cit.</u> , IX, p. 246; Thorpe, <u>op. cit.</u> , vol. 3, p. 1449.
46. Const., 1852, arts. 81, 83.	51. See essays on Constables, and Tax Assessors, <u>infra</u> .
47. Francis Newton Thorpe, <u>American Charters, Constitutions and Organic Laws, 1492-1908</u> , Washington, D. C. 1909, 7 vols. 3, p. 1429.	52. <u>La. A.</u> , 1871, #97; <u>cf.</u> Police Jury essay, <u>infra</u> .

the application of this act. In 1877 the governor was authorized to appoint in all parishes, except Orleans, five additional police jurors.(53) Elections were brought into closer control of the state by the appointment of a board of registration, who in turn appointed local registrars. Thus for the first time registration became a requisite for voting.(54) This constitution also re-established parish courts, and continued the supreme, district, and justice of the peace courts.(55)

Provision was made for at least one free public school in each parish for all children, without distinction of race, color, or previous condition. The public school system was completely re-arranged in 1869, the state being divided into six general school divisions, with a division superintendent appointed for each by the state board of education. Each police jury ward was declared to be a school district and for each of these a board of school directors was appointed by the state board. Two years later, however, the district boards were abolished, and a parish board of school directors was appointed for each parish.(56)

The Constitution of 1868, because it enfranchised the blacks and disfranchised a large number of white citizens, created a difficult political situation. Hence, after the establishment of white supremacy, in 1877, a call was issued for a constitutional convention.(57) The constitution, ratified in December 1879, made some changes in local government. It abolished the parish courts set up by the previous constitution, created an intermediate court of appeal for civil and probate cases, and merged the office of recorder with that of clerk of court.(58) In an effort to secure white supremacy in local affairs the general assembly ended the terms of all police jurors in 1880, and empowered the governor to appoint their successors.(59) They continued to be so appointed until 1896.(60) No changes were made in the school system, except that parish school boards were permitted to appoint a parish superintendent.(61)

A desire to reform the suffrage provisions of the Constitution of 1879 led to the proposal and adoption of the Constitution of 1898, which may be said to have restored normal government to the State of Louisiana,(62) and brought to an end the period of violent racial animosity and political opportunism. Although two constitutions, one in 1913 and

53. <u>La. A.</u> , 1877, E. S., #57.	59. <u>La. A.</u> , 1880, #37.
54. <u>Const.</u> , 1868, art. 25; <u>La. A.</u> , 1868, #56.	60. <u>La. A.</u> , 1882, #94; <u>ibid.</u> , 1884, #94; <u>ibid.</u> , 1886, #20; <u>ibid.</u> , 1890, #119; <u>ibid.</u> , 1894, #161.
55. <u>Const.</u> , 1868, art. 73.	61. <u>Const.</u> , 1879, art. 225.
56. <u>Const.</u> , 1868, art. 135; <u>La. A.</u> , 1869, #121; <u>ibid.</u> , 1871, #8.	62. "Source Books of Louisiana Law, Part IV", <u>loc. cit.</u> , IX, p. 247. The constitutional convention was called by act #52 of 1896.
57. <u>La. A.</u> , 1879, #3; "Source Books of Louisiana Law, Part IV", <u>loc. cit.</u> , IX, p. 247.	
58. <u>Const.</u> , 1879, arts, 80, 95, 121.	

one in 1921, have been adopted since, there has been no important change in local government.(63) The increasing popular demand for more services from local government has resulted in the establishment of new parish officers and agencies, while other functions which had been concentrated in the police jury have been delegated to separate boards. Parish boards of health, health units, and the offices of farm agent and home demonstration agent, have been established in most parishes.(64) The recording of births and deaths by local registrars has recently been made compulsory.(65) The review and equalization of assessments, and the administration of social service work, formerly performed by the police jury, are now delegated to the board of equalization and department of public welfare respectively.(66) Since the Constitution of 1898 separate free public schools have been provided for children of the white and colored races, and the appointment of a parish superintendent has been made mandatory.(67)

The Parish

The parish in Louisiana is a political corporation with all the powers of a body politic. It acts as the agent of the state in the administration of justice, in the assessment and collection of taxes, in the conduct of elections and primaries, in public education, and in matters pertaining to public health and public welfare.(68) The parish exercises only such power as is delegated to it by the state.

The original nineteen civil parishes of Orleans Territory (1807), plus the four Florida parishes added in 1810, had been, by 1852, divided into forty-seven parishes. The number of parishes was not increased until Reconstruction, during which period eleven more parishes were created. Since then six new parishes have been established, bringing the total number to sixty-four. In 1810, parishes ranged in population from 1,020 to 24,552.(69) They now vary from 6,054 to 458,762. The census of 1930 shows a rural population in Louisiana of 1,268,061, and an urban population of 833,532. Only six parishes have a population greater than 50,000, therefore the parishes of the state can be said to be largely rural in character. The population density varies from 4 to 2,340 per square mile.(70)

63. The Constitution of 1913 was in full force on Nov. 22 of that year, and the Constitution of 1921 was in full force on July 1, 1921.	66. See essays on Board of Equalization, and Department of Public Welfare, <u>infra</u> .
64. See essays on Board of Health and Health Unit, Parish Agent, and Home Demonstration Agent, <u>infra</u> .	67. <u>Const.</u> , 1898, arts. 248, 250.
65. See essay on Registrar of Births and Deaths, <u>infra</u> .	68. Carleton, <u>op. cit.</u> , pp. 82, 83.
	69. William Darby, <u>A Geographical Description of the State of Louisiana . . . New York</u> , 1817, p. 48.
	70. Carleton, <u>op. cit.</u> , p. 332.

The Constitution of 1845 established the first restriction on the creation of new parishes. These were that a new parish must contain at least 625 square miles in area and have a population not less than that established by the legislature for the election of state representatives.(71) The Constitution of 1879 altered these provisions only by stipulating the exact number of inhabitants necessary. In other words, no new parish can contain less than 625 square miles of area nor less than 7,000 population.(72)

The legislature may dissolve any parish or merge it with a contiguous parish whenever two thirds of the voters of the parish to be dissolved vote in favor thereof, and provided that a majority of the voters of the parish or parishes of which the dissolved parish proposes to become a part consents to the proposition.(73) Whenever a parish is created from contiguous territory, it is entitled to a just proportion of the assets and must assume its due share of the liabilities of the parish or parishes from which it was taken.(74)

Until 1914 the police jury system of parish government was obligatory in all parishes except Orleans, but since that date parishes may adopt the commission form of government if they so choose by a majority vote in a special election held for that purpose.(75)

The Administration of Public Affairs*

The police jury is the administrative and legislative agency that acts for the whole parish. Its members are elected one from each ward, with additional members for certain wards containing a population in excess of a prescribed number. This body acts only as a parish-wide agency and its members have no independent functions as such. In the beginning (1807-1812) its members served as little more than an advisory board to consult with the parish judge, but since 1813 it has been the chief governing agency of the parish. Its early duties were largely regulatory over such local affairs as public works, internal police and the

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| <p>71. <u>Const., 1845, art. 8; Const., 1852, art. 8; Const., 1861, art. 8; Const., 1864, art. 10.</u></p> <p>72. <u>Const., 1879, art. 249; Const., 1898, art. 277; Const., 1913, art. 277; Const., 1921, art. XIV, sec. 1.</u></p> <p>73. <u>Const., 1879, art. 251; Const., 1898, art. 279; Const., 1913, art. 279; Const., 1921, art. XIV, sec. 4.</u></p> <p>74. <u>Const., 1879, art. 252;</u></p> | <p><u>Const., 1898, art. 280; Const., 1913, art. 280; Const., 1921, XIV, sec. 5.</u></p> <p>75. <u>La. A., 1914, #190; Const., 1921, art. XIV, sec. 3.</u>
*Since citations have been given in full in the office essays, they have been omitted from the recapitulation which follows. Authority for statements can be found by consulting the appropriate essay.</p> |
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preservation of safety and order, and the regulation of livestock and fences.

Since 1813 the police jury has had authority to appoint officers to carry out its ordinances and regulations. The most important of these officers are the parish treasurer, and the clerk or secretary, whose offices, since 1924, may be combined at its discretion. They are employees, not members, of the police jury. It also appoints syndics or road overseers, the registrar of voters, the members of the board of health, the members of the department of public welfare, two members of the board of equalization, and one member of the board of supervisors of elections. It has a part in the appointment of the parish farm agent. At various times it has appointed constables, tax assessors, and school administrators.

Public Works

All public works of internal improvement fall under the governing authority of the police jury. These are the construction and maintenance of a courthouse, jail, hospitals, and other public buildings, as well as roads, drainage ditches, levees, canals, ferries, systems of sewerage and gravity drainage, and the improvement of streams and rivers for navigation. It may own and provide for the operation of public utilities, fair grounds, recreational systems, and airports. It may grant franchises to private corporations to supply the parish with various public utilities. Special public works districts may be created within the parish, or in some cases overlapping parish boundaries, for such purposes as the construction and maintenance of levees, gravity drainage systems, irrigation systems, sewerage systems, and waterworks, whenever such proposals are approved by a vote of the majority, in number and amount, of the taxpayers in such proposed districts.

Public Education

Public education, even though administered by school trustees or administrators, was to a very considerable extent under the control of the police jury until Reconstruction. During that period large powers were vested in the state board of education in that it appointed local boards of school directors. It was not until 1906 that the election of school board members was provided for, and these members are now elected one from each ward. Like the police jury and the board of commissioners of the special districts, it is a political corporation, with the power to sue and be sued. Its administrative officer is the parish superintendent, whose election by the board has been compulsory since 1898. The superintendent also serves as secretary of the board and treasurer of school funds. Education is co-ordinated under the direction of the state board, though the local board administers all local educational matters. Funds for the support of public schools are derived from taxation, but the levying of such taxes has only been mandatory since 1908. Three mills on the dollar of assessed valuation of property must be levied for school purposes. Additional revenue may be derived from special taxes when voted by a majority in number and amount of the taxpayers in a school district

or the whole parish.

Public Health

Measures for the advancement of public health and the prevention of epidemical diseases were initiated as functions of the police jury, but did not produce satisfactory results. Even recent legislation, which makes compulsory the establishment of parish boards of health has not been completely successful. The more effective health units, established by mutual agreement between the state and parish boards of health, now carry on the greater part of actual health work, and co-operate closely with the state board. Some parishes, like Jefferson for example, that are near New Orleans, are served directly from the state office of health in that city.

Public Welfare

Social service activities were also formerly administered by the police jury, but recent legislation (1936) has consolidated most of this work in the parish department of public welfare. This department is composed of a board selected by the police jury; a parish director, who is appointed by the board; and a clerical and social service staff appointed by the director with the approval of the board. The parish department is the agent of the state welfare department and must conduct the local work in accordance with the rules and regulations prescribed by it. The parish director is the administrative and executive officer of the local board, and in addition serves as its secretary. The scope of work includes direct relief, old age assistance, aid for needy veterans, for the blind, for mothers having dependent children, and for the physically handicapped.

Agricultural Improvement

Agricultural extension work and educational work in home improvement are carried on by the parish farm agent and the home demonstration agent. The police jury has a part in the appointment of these agents, and is empowered to further this work by grants of limited amounts of money, and by the establishment of agricultural experiment stations. At the present time the parish agent's chief function is the administration of state and Federal policies relative to soil conservation and crop control.

Taxation

As a necessary concomitant of administrative powers, the police jury has been granted limited taxation powers. The parish derives its income from taxes on real and personal property, from licenses on various businesses and occupations, and, until 1934, from poll taxes. Limitations are imposed by statutory and constitutional provisions as to the things that can be taxed, the amounts that can be levied, and the purposes for which the proceeds can be used. Debts which may legitimately be incurred can be funded into negotiable bonds, which are retired by payments from the revenues of general and special taxation.

Since most of the parish income is derived from taxes levied on real and personal property an officer termed the tax assessor is charged with the duty of the appraisal and assessment of such property. The assessment however, is made not only for the parish, but for the state and special taxing districts as well. When the assessment rolls have been completed by the assessor, they are transmitted to the board of equalization whose duty it then becomes to review the rolls, hear complaints of taxpayers, and equalize the assessments as necessary. This function had been discharged previously by the assessor, the recorder, and, from 1882 until 1920, by the police jury acting as a board of review.

As soon as the work of the board of equalization is completed, one copy of the roll is sent to the clerk of court and ex officio recorder. This filing acts as a lien upon the property assessed until the tax has been paid, as well as a public notice to taxpayers that taxes are due and payable. Another copy of the roll is sent to the sheriff and ex officio tax collector, who immediately begins the collection of taxes. When the individual pays his taxes he receives a receipt from the tax collector. This receipt he then takes to the office of the recorder who thereupon cancels the lien upon the taxpayer's property as listed on the assessment roll. The collector receives all taxes for state, parish, and special purposes, and disburses the proceeds accordingly. Pending transmission to the agency for which collected, the tax collector deposits his collections with the fiscal agency of the parish.

Taxes assessed against real property become delinquent if not paid within the calendar year for which they are assessed. The collector sends notice of such delinquency to the taxpayers whose addresses are known, while past-due taxes of non-resident and unknown owners are advertised as delinquent once a week for two weeks in the parish newspaper. Twenty days after such notice, or last date of publication, the collector advertises for sale a consolidated list of all properties on which there are unpaid taxes. On or before May of the year following the assessment, such properties are seized and sold in the same manner as judicial sales are made. The sheriff and ex officio tax collector makes out a deed of sale, except in the case of property adjudicated to the state. All such properties may be redeemed within three years after the registering of the conveyance, by the payment of the delinquent taxes, costs, and interest. For movable property the procedure differs in that such taxes become delinquent on the first day of October, and, after due notice, movable property, or other taxable property of the delinquent, can be seized and sold.

Finance

The proceeds from the collection of parish taxes are paid to the parish treasurer, who deposits the same with the fiscal agent of the parish. This officer keeps account of the receipts and disbursements of all parish funds. He is forbidden to pay out any money except upon authorization of the police jury or of a court of competent jurisdiction. Taxes for school purposes, and for special purposes are likewise credited to the school board and the various district boards, whose treasurers are

authorized by law to receive and expend the same.

Elections

The administration of elections is controlled by a board of supervisors of elections consisting of the registrar of voters and two members appointed by the governor. The registration of voters was not provided for until 1868. Previously, lists of voters had been compiled from the census lists taken at four year intervals. Since 1868 those desiring to vote have been required to register with an officer selected for that purpose. Suffrage was formerly restricted to the white, male taxpayers, but had been gradually extended so that, by 1868, all white males who had lived in the state for one year were entitled to vote. During Reconstruction restrictions were introduced disfranchising all white men who had participated in, or sympathized with, the rebellion, unless they signed a recantation and an oath of allegiance. At the same time emancipated slaves were given the suffrage. All this resulted in the introduction of racial issues into the registration policies of the state. The Constitution of 1898 disfranchised the majority of the blacks through the operation of the so-called grandfather clause (subsequently held unconstitutional). Women in Louisiana were given the right of suffrage in 1921. The abolition, in 1934, of the poll tax as a requisite for voting has resulted in a more wide-spread exercise of the right of suffrage. Poll receipts, however, must be obtained from the sheriff for two consecutive years, as one of the requisites for voting. The actual mechanics of elections are supervised by the commissioners of elections who are drawn by lot for each polling place. The primary elections in Louisiana are the most important from the local point of view, because, as it is a one party state, nomination in the democratic primary is tantamount to election.

Law Enforcement

The enforcement of law for the preservation of public safety and order is an obligation of all parish officials, but is more especially the duty of judges, justices of the peace, the sheriff, the coroner, and the constables. The district attorney acts for the state in the prosecution of all crimes. The constables, the sheriff, and in certain circumstances the coroner, can make arrests, and commit the accused to jail to await trial. The regulations of the police jury are also enforced by these officers.

The Parish Judiciary

One of the first steps of the legislative council of the Territory of Orleans was to establish a superior court, county (inferior) courts, and justice of the peace courts under the authority granted by the Act of Congress. Soon afterward the superior court was directed to go on circuit and hold sessions at the various county seats. County courts were replaced, two years later, by the parish and probate courts. The first state constitution provided for a

supreme court, such inferior courts as the legislature would establish, and justices of the peace. Under this authority the superior court was abolished and the district court system created in its stead. It should be explained that this court was a district court only in that the separate units (courts) established in each parish were presided over by the judge of the district and served by the district attorney. A criminal court was established for the first judicial district (to which district the parish of Jefferson was then assigned). Thus there existed simultaneously in the parishes justices of the peace, parish and probate courts, a district court, and in the parishes of the first district a criminal court. Following the Constitution of 1845 the parish and probate courts were abolished and the jurisdiction of the criminal court of the first district was restricted to the parish and city of New Orleans. The consequence of this legislative action was the increase of the jurisdiction of the district court and the extension of the powers of the justices of the peace in certain minor matters. During Reconstruction, parish courts, were again established, so that there were justices of the peace, parish courts, and district courts in the parishes until 1879. Since the constitution of that year there have been only justices of the peace and district courts as strictly parish courts. The circuit court of appeal, however, was established in 1879, and, though not a parish court, held sessions at the various parish seats. Appeals (after 1900) from parishes contiguous to New Orleans were made returnable to the court of appeal in that city by the Constitution of 1898. In more recent years the juvenile court, which could properly be classified as a division of the district court, has been set up in all parishes.

Civil Jurisdiction

From 1805 to 1807 civil jurisdiction was divided among the justices of the peace, the county, and the superior court according to the amount involved. For amounts under \$100 (under \$50 from 1805 to 1806) the justices had jurisdiction, subject to appeal to the county court in amounts over \$50. The civil jurisdiction of the county courts included all suits which arose upon contract from \$50, and exclusive jurisdiction in all suits under \$100 where personal wrongs or injuries to real and personal property were involved. The superior court had original and appellate jurisdiction of all suits involving \$100 or more, and appellate jurisdiction in all alimony cases.

The parish court, successor to the county court in 1807, was given original and exclusive jurisdiction in all suits involving less than \$100; those above this amount were appealable to the superior court. The civil jurisdiction of the justices of the peace remained as formerly.

In 1813, after the superior court had been abolished, civil jurisdiction was divided between the newly created district court, the parish court, and justices of the peace. That of the latter courts was limited to suits involving \$50 or less, with the right of appeal to the parish court when the amount exceeded \$20. The parish court was given

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jurisdiction up to \$300, subject to appeal to the district court when the amount in dispute exceeded \$100. In 1835, the jurisdiction of the Jefferson parish court was extended to embrace all suits up to \$1,000, with the right of appeal as before. The jurisdiction of the district court was original and exclusive for amounts under \$300; above this amount appeal could be taken to the supreme court.

The abolition of the parish court in 1845 left civil jurisdiction divided between the justices of the peace and the district court. That of the justices was limited to amounts involving less than \$100, with the right of appeal to the district court when the amount exceeded \$10; that of the district court included suits involving \$50 and up, subject to appeal to the supreme court in all suits involving \$300 or more.

The Constitution of 1868 by re-establishing a parish court caused some re-arrangement of civil jurisdiction. That of the justices of the peace remained as before. That of the parish court was concurrent with the justices in suits involving amounts between \$25 and \$100, and it held exclusive original jurisdiction in amounts exceeding \$100 and not over \$500, subject to appeal to the district court where the amount was more than \$100. The district court exercised jurisdiction of all suits over \$500, and appellate jurisdiction where the amount exceeded \$100.

After 1879 the jurisdiction of the justices of the peace was original up to \$50 and concurrent with that of the district court in amounts between \$50 and \$100. The district court was given jurisdiction in all civil matters in amounts exceeding \$50 and the appellate jurisdiction of appeals from the justices of the peace for amounts over \$10. Appeals could be taken from the district court to the court of appeal in amounts between \$100 and \$2,000. Above this amount appeal was to be taken to the supreme court.

The Constitution of 1898 defined the jurisdiction of justices of the peace to include all suits for the possession or ownership of movable property not exceeding \$100 in value, and suits instituted by landlords for the possession of leased premises, when the monthly or yearly rent or the rent for the unexpired term did not exceed that amount. The jurisdiction of the district court was defined as including all suits where the title to real estate was involved, the title to office or other public position, civil or political rights, and suits where no specific amount was in contest. It was also to include suits in which the state, parish, municipal, or other political corporation was a party defendant and all suits involving the appointment of receivers or liquidators. Its appellate jurisdiction was extended to all appeals from justices of the peace regardless of the amount involved. Since 1920 the clerk of the district court has been empowered to exercise civil jurisdiction in those suits in which the district court has concurrent jurisdiction with that of the justices of the peace, that is, in those involving amounts less than \$100.

The Constitution of 1921 broadened the jurisdiction of the district

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court in civil matters to include all suits regardless of the amount involved, to be held concurrently, however, with the justices of the peace in amounts up to \$100.

Probate Jurisdiction

Probate jurisdiction was exercised by the county judge until the counties were abolished in 1807. In that year the parish judge (in Orleans, the city judge) was given jurisdiction in all matters relative to proof of wills, appointment of guardians, curators, and administrators. In 1820 the court of probates was given complete probate jurisdiction, with the right of appeal to the district court under the same conditions as appeals were allowed from the parish court. In 1825 this right of appeal was extended downward to include any opposition to any judgment, order, or decree of the probate court where the amount exceeded \$50 and did not exceed \$300, but made no change in the right of appeal above this amount.

When the probate court was abolished in 1845, unlimited jurisdiction in all probate and succession matters was given to the district court, subject to appeal to the supreme court in cases involving more than \$300. But when the parish court was re-established in 1868 probate jurisdiction was transferred to that court. This jurisdiction was unlimited, subject to appeal to the supreme court when the amount involved was more than \$500. Suits could be brought against a succession for debt either in the parish or the district courts according to the amount involved.

Since 1879, when the second parish court was abolished, the district court has exercised unlimited original jurisdiction in all probate and succession matters, with the right of appeal as in civil suits.

Criminal Jurisdiction

Justices of the peace, when set up in the counties of the Territory of Orleans, were granted the right to hear and examine all complaints of breaches of the peace and misdemeanors. That is, they acted as committing magistrates only. No change has been made in the criminal jurisdiction of the justices of the peace since they were first established. The criminal jurisdiction of the county court included all criminal matters that did not fall within the exclusive jurisdiction of the superior court, including crimes committed by slaves, except murder. A tribunal, however, was set up for the trial of slaves consisting of the county judge and four discreet free holders. The decisions of this tribunal, which apparently was considered a division of the county court, had the same validity as a verdict of a jury. Complete criminal jurisdiction was vested in the superior court during its term of existence (1805-1812) with exclusive jurisdiction over capital crimes and those for which the punishment was imprisonment at hard labor for seven years or more. This court also had exclusive jurisdiction of murders committed by slaves.

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When the parish court was established (1807) its criminal jurisdiction was limited, in the case of free persons, to libel, slander, or assault and battery, but included all offenses committed by slaves. The parish judge also acted as committing magistrate for all cases not falling within his jurisdiction.

In 1813, when the district court system was established, that court was given jurisdiction of all criminal cases of whatsoever nature. Unlimited criminal jurisdiction has continued to reside in that court from that date to the present. In 1825 a slave tribunal was again set up. It was composed of the parish judge, or in his absence of a justice of the peace, and six inhabitants, freeholders in the parish. When the office of judge of the parish court was abolished in 1845, this tribunal was ordered to consist of two justices of the peace and ten owners of slaves.

The second parish court (1868-1879) was allowed to exercise criminal jurisdiction in those cases where the penalty was not necessarily imprisonment at hard labor or where the accused waived trial by jury.

Previous to 1843 there was no appeal in criminal matters except directly to the governor of the state. In that year a court of errors and appeals was set up to take cognizance of appeals in criminal matters. This court, however, was abolished in 1846 and appeal was allowed directly to the supreme court. All appeals in criminal cases are made on questions of law alone and may be taken in all cases whenever the punishment of death or hard labor may be inflicted, or when a fine exceeding \$300 is actually imposed.

Juvenile Delinquency

Since 1906, jurisdiction of all trials of children under seventeen years of age, except capital crimes, and of all persons charged with contributing to their neglect or delinquency, has been exercised by the juvenile court, which in actuality is a division of the district court and over which the district judge presides. Since 1936, this court has been given jurisdiction over the adoption of children under seventeen years of age. The records of this court are ordered by law to be kept separately from those of the district court.

Court Officers

The officers of the district court are the district judge and district attorney, who serve all the parishes of their district, and for each parish, a sheriff, a clerk of court, and a coroner. In addition, grand and petit juries are summoned. Justices of the peace are served by constables.

The executive officer of the courts (except the justices of the peace courts) is the parish sheriff whose office was established in 1810. There had been a county sheriff for the two years of its existence. The parish sheriff attends, either in person or by deputy, all sessions of all

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courts held in his parish, and executes all orders, writs, and processes emanating from them. He is, in addition, the keeper of the parish prison.

The clerk of the district court has served as ex officio clerk of all courts that have held sessions in his parish. He records the proceedings of the courts and issues such writs, orders, and processes as are prescribed by law.

The coroner discharges the duties of the sheriff in relation to the courts whenever there is a vacancy in that office and until a successor is inducted. He also inquires into all cases of death where there is a suspicion or possibility that a crime may be involved.

The constable, as mentioned above serves the justices of the peace in the same relative capacity as the sheriff serves the higher courts. In certain instances, however, he also executes the writs and processes of the district court.

The grand jury, composed of fifteen men and a foreman previous to 1898, has since been reduced to twelve men, including the foreman. It is empanelled twice a year in each parish, (in Cameron, once a year) to investigate any informations which may have been lodged with the clerk of court by the district attorney. Nine of the twelve jurors must concur to find an indictment. The grand jury also inspects and reports upon the conditions of prisons and public buildings. In 1818 they were directed to investigate the condition of the roads of the parish so that syndics failing to perform their duties could be prosecuted. The duty, however, is now discharged by the police jury. In 1821, they were ordered to inquire into the use made of school funds by the school trustees. Today financial accounts are audited by the state supervisor of public accounts.

Jury trial (by the petit jury) may be demanded in civil suits by either party, except in suits involving notes, bills of exchange, or a specific sum of money. Nine of twelve jurors may bring in a verdict. In criminal matters, trials by jury are held in all cases except those in which the possible penalty does not involve hard labor. Where the punishment may be at hard labor, five jurors are required, all of whom must concur to render a verdict. Where the penalty must necessarily be hard labor, the case is tried by a jury of twelve, nine of whom must concur in the verdict. Where the punishment may be capital, the case is tried before a jury of twelve, and all must concur to bring in a verdict.

Recording Functions

The types of documents and other public information that are recorded fall under four general classifications: 1) notarial and private acts involving real and personal property and rights; 2) judicial proceedings; 3) vital statistics, including marriages; and 4) certificates

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and licenses.

Acts of mortgage and donations were registered in the mortgage office for the Territory of Orleans (in New Orleans) until 1810. Since that date these have been registered in the respective parishes where the property involved is located. Conveyances and other acts have been registered by the local recording officer (the county judge, 1805-7; parish judge, 1807-45; recorder, 1846-79; and the clerk of court and ex officio recorder, 1880 to date). Marks and brands used to indicate ownership of animals have also been registered by these local recording officers.

Court proceedings, whether civil, probate, or criminal, are recorded by the clerk of court in the minute book of the court, and at the conclusion of a trial, the documents and judgments in civil suits are recorded in the judicial record book, while those relating to probate and succession matters are recorded in a probate record, or a record of "proceedings in successions" as it is often called. The recording of criminal cases and of coroner's inquests is also required of the clerk.

The registering of births and deaths has not been compulsory until recently. When a birth or death was declared it became the duty of the parish judge, and after 1846, the recorder, to record the same. In 1918 the state board of health was directed to take charge of such registration. There are local registrars in each city, town and police jury ward, who preserve such records and receive instructions, forms, and blanks, from the state board of health. Marriage certificates must be filed and recorded by the clerk of court. He issues the license, and when the ceremony has been performed, records the certificate of marriage which is returned to him by the person officiating.

Various certificates and licenses issued to professional men and women such as doctors, dentists, nurses, veterinaries, and others, must be registered with the ex officio recorder, in order to enable such persons to practice in the parish, and for public notice.

The Records System of the Parish

In Louisiana, most of the records of the parish and nearly all of the important ones will be found in the office of the clerk of court and ex officio recorder. The records system is a simple one, though terminology may differ from that used in other parts of the country. Original instruments are called "acts" or more often "notarial acts". All such acts, whether they are acts of sale, exchange, donation, mortgage, original resolutions, and powers of attorney must be deposited by the notary public in the office of the recorder within 15 days after their execution. When an act is thus deposited it becomes the duty of the recorder to endorse, on the back, the time it was received by him, and record the same in the appropriate record book.

Various methods are used for filing notarial acts. They are either filed loosely in drawers or pigeon holes, or bound into volumes. Sometimes

Governmental Organization and
Records System

these are filed or bound in strict chronological sequence, regardless of the type of act, or they may be segregated by types, or the act of each notary may be kept separate.

These acts are recorded chronologically in the appropriate register books. Conveyances are registered in the "conveyance record", conventional mortgages in the "mortgage record", chattel mortgages in the "chattel mortgage book", and so on. In some cases an act is recorded in more than one book in the office. If, for example, an original act is a "conveyance with a mortgage", then it is recorded in both the conveyance and mortgage records. Bonds required of public officials (except bonds signed by surety companies) are recorded in a "bond book" and are also registered in the mortgage records of the several parishes where the principal obligor may own real estate. The mortgage and donation registers must have the first and last pages signed ne varietur by the judge or two justices of the peace. In some parishes a "miscellaneous record book" is kept wherein such acts are recorded for which no specific recording provision has been made by law. These modifications are determined, to some extent, by the amount of business which is transacted and whether the necessity exists for a separate record in all cases.

Indexes to these records vary. The usual practice in the past has been to make a separate index for each register of a series, though in most of the larger parishes general indexes are available. Indexing projects, under the sponsorship of the Works Progress Administration, have been set up in most parishes and are preparing modern direct and reverse indexes to all of the important records in the office of the clerk of court and ex officio recorder.

Judicial records of the courts are kept by the clerk of court in somewhat the same manner. When a suit or case is instituted, it is entered in the appropriate docket book, civil, criminal, or probate, and is given a docket number. All the original papers relating to a particular case are placed together as they are filed in the office, usually in a folder labeled with the title, docket number and the date the petition was filed. All papers are entered in the docket book in the order received with the date of filing, and often the fee charged. The proceedings in court are entered in the minute books of the court, and after the conclusion of the case all the documents, court orders and judgments are recorded in a judicial record book. Various types of indexes to the court records are kept, the more usual type being that which gives the name of the plaintiff and defendant, and docket number, by which all of the records of the case or suit can be located.

Thus it will be seen that the parish records most consulted by the public are available in the office of the clerk of court and ex officio recorder.

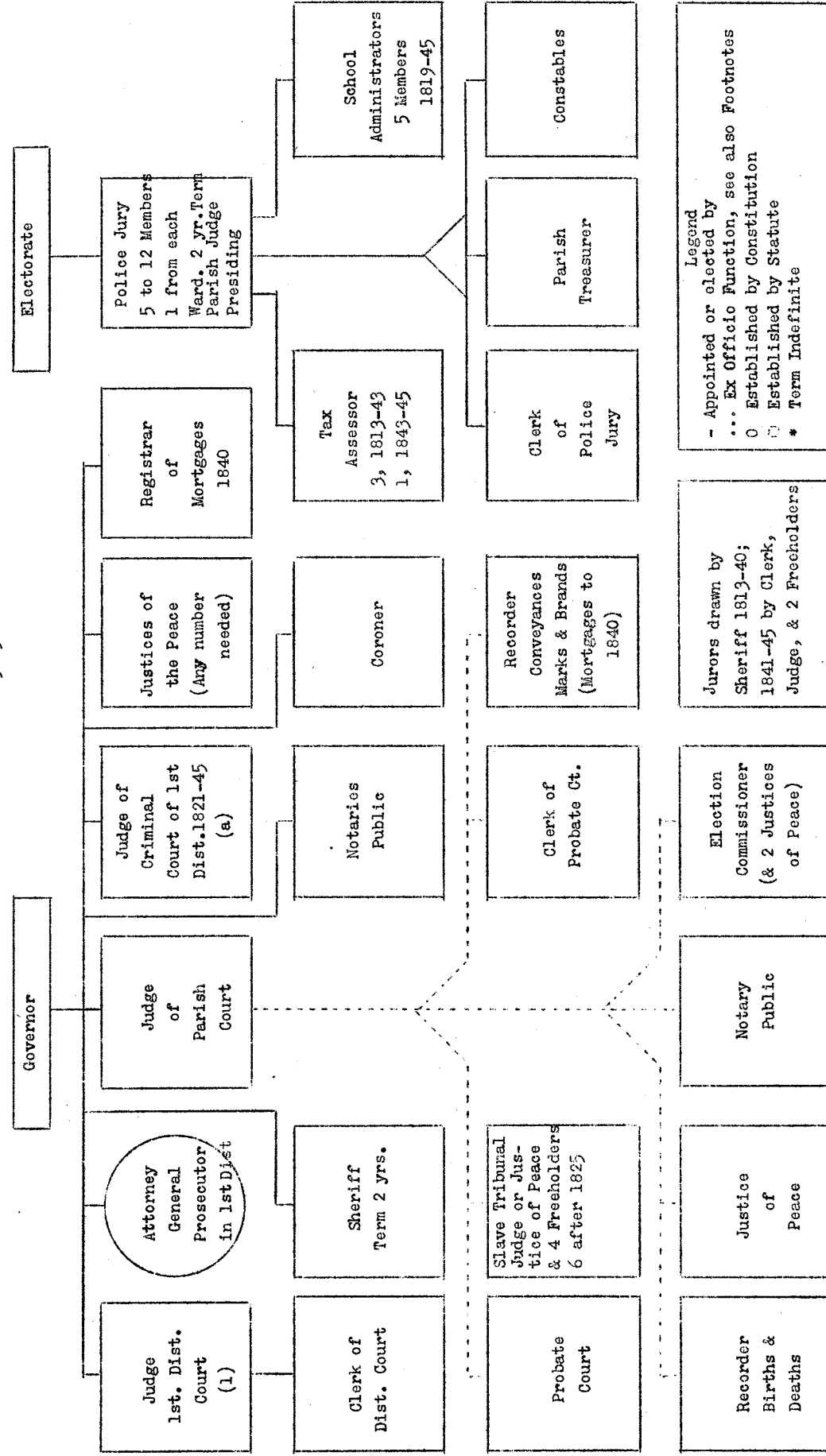
The administrative records of the parish will be found in the police jury minutes, compiled ordinances, and the minutes of other administrative agencies, such as the school board, and the special district boards. The principal financial records of the parish are kept by the parish

Governmental Organization and Records System

treasurer. His books, like those of all financial officers, are audited by the state auditor.

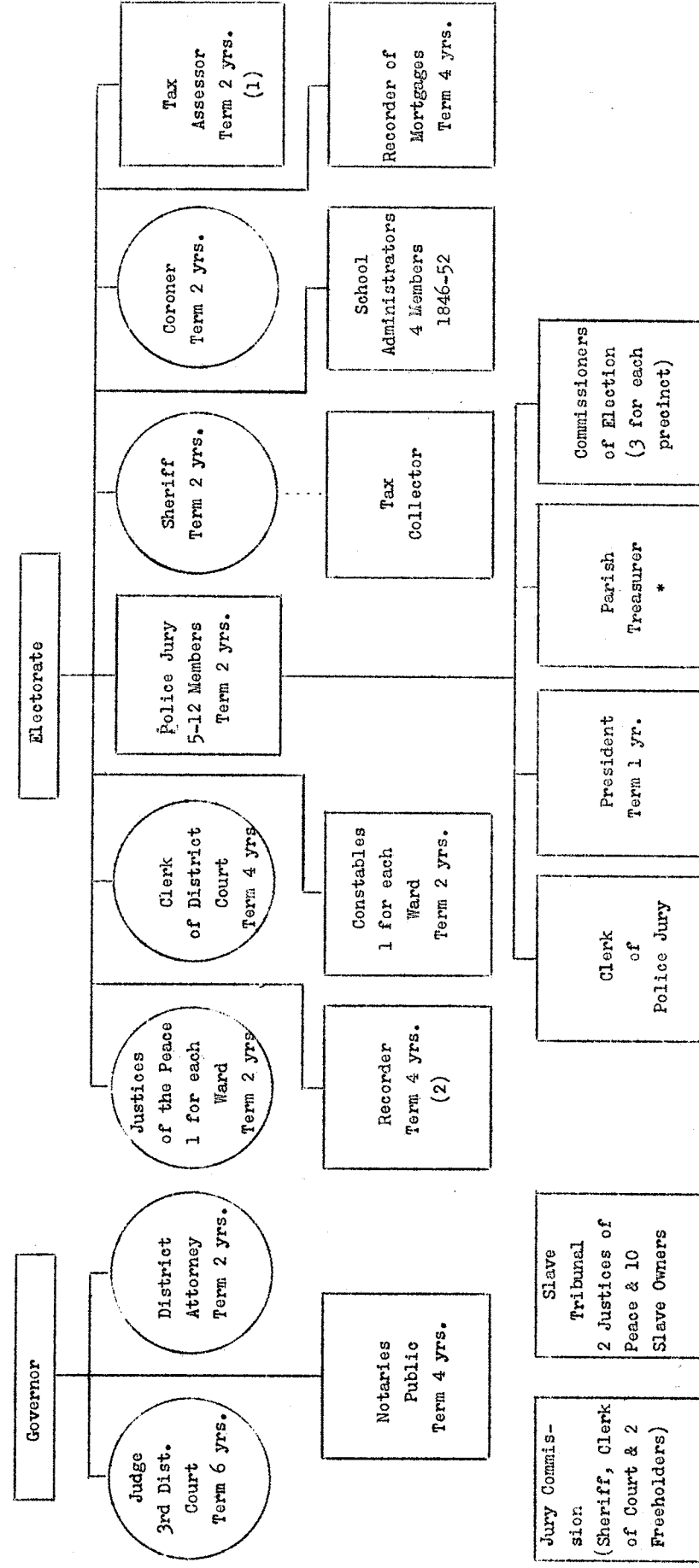
The records of most of the other parish officers are uniform throughout the state. All records which relate to the assessment and collection of taxes, and those for the registering of voters, for example, are kept on printed forms or books furnished by the state.

Chart of Jefferson Parish Government
1825-45



1. The sessions of the court in the first district were held in New Orleans.
 2. This court also held sessions in New Orleans until 1832 and after 1834. From 1832-34 it went on circuit and held sessions in Jefferson Parish.

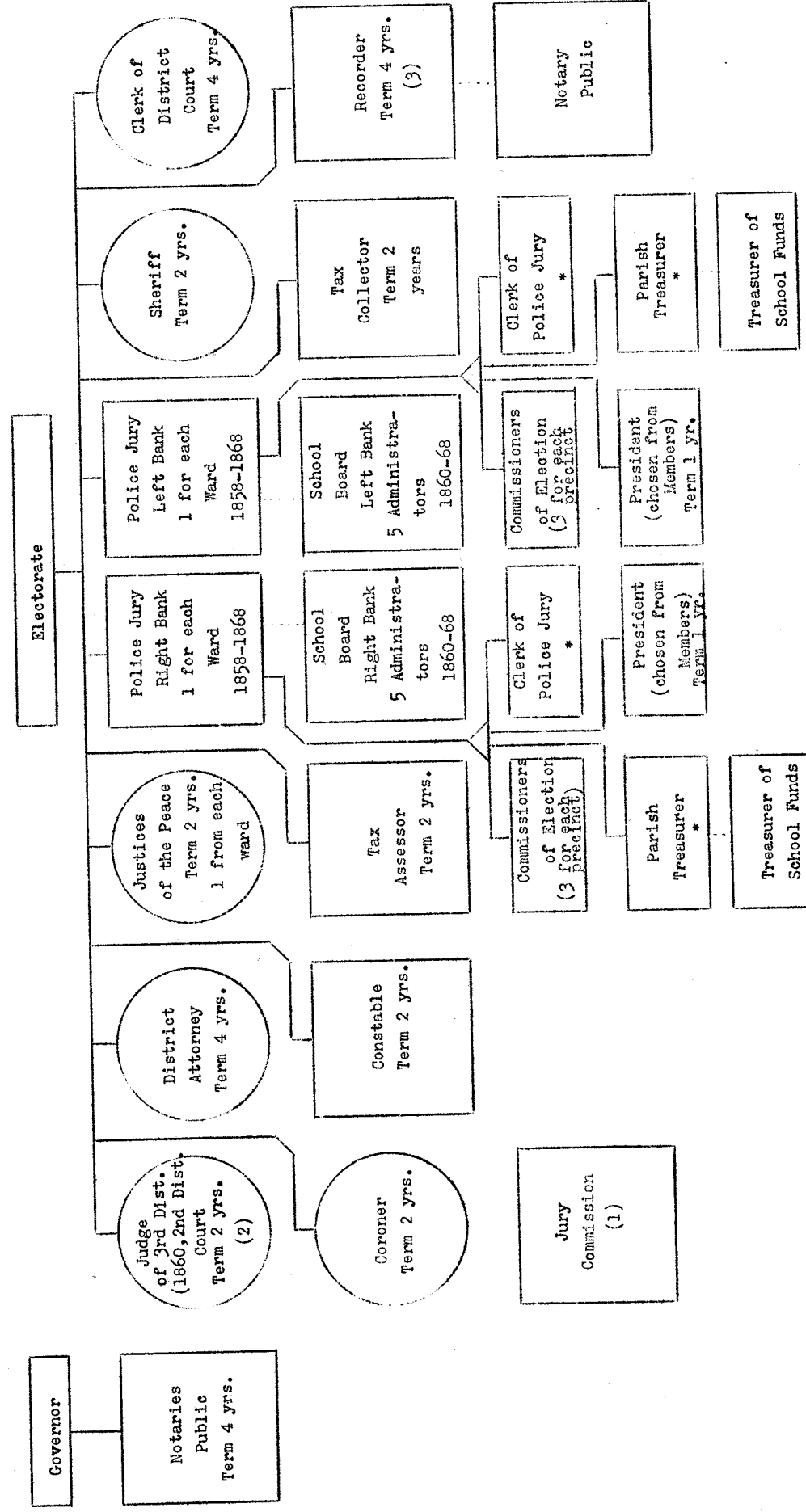
Chart of Jefferson Parish Government
1846-52



1. Made elective in 1847.

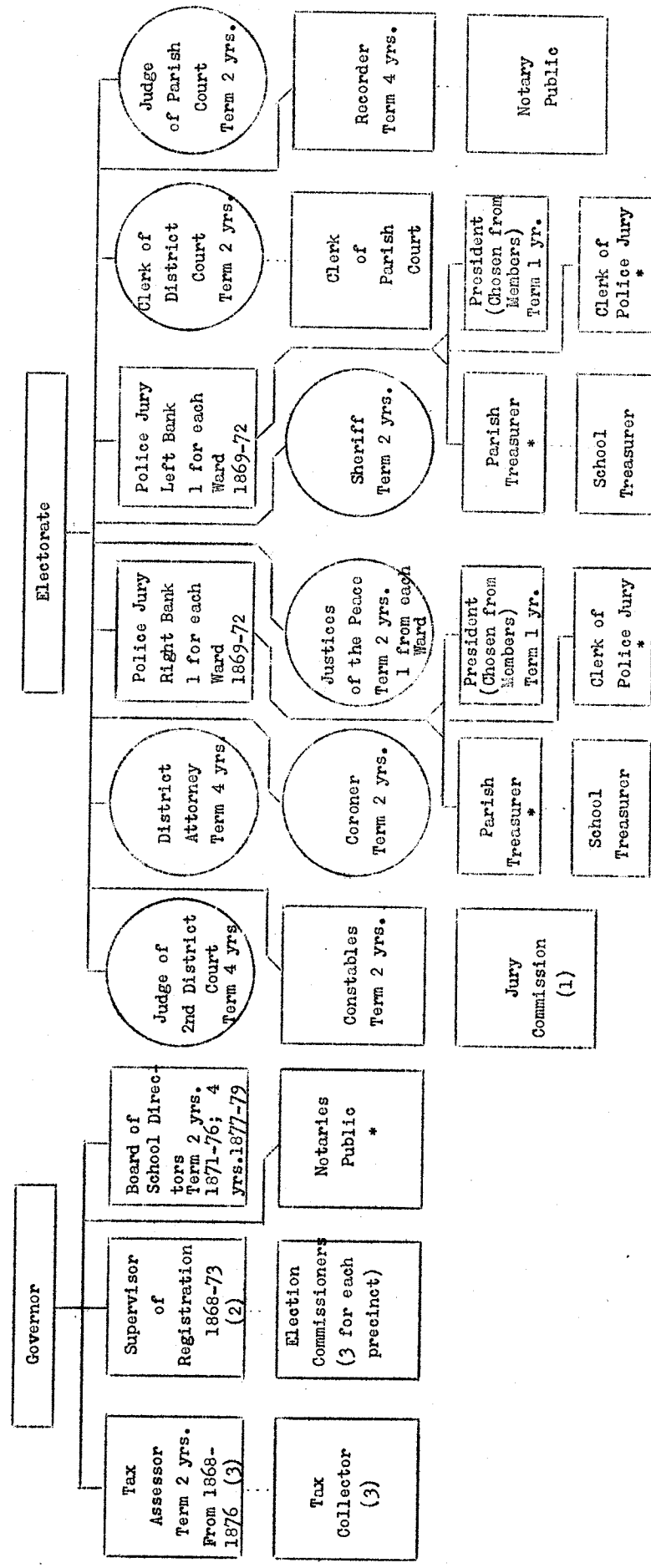
2. Recorder of conveyances, marriage contracts, marks and brands, births and deaths, and notary public.

Chart of Jefferson Parish Government
1853-68



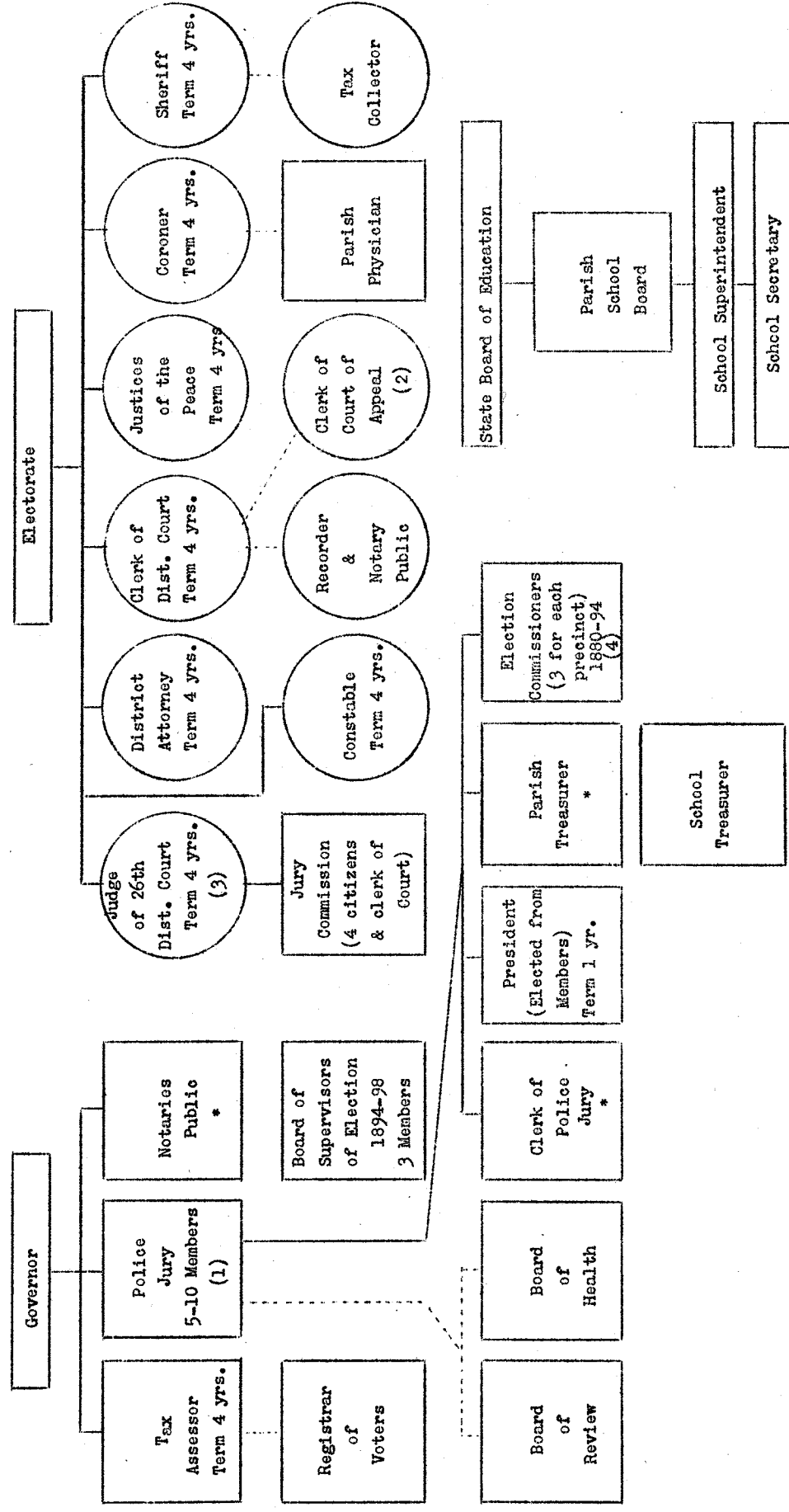
1. After 1855 composed of the sheriff, recorder, clerk of court, and two freeholders.
2. After 1865 appointed by the governor for six years.
3. Recorder of conveyances, marriages contracts, marks and brands and after 1855 recorder of mortgages also.
From 1853 to 1855 there was a separate office the recorder of mortgages.

Chart of Jefferson Parish Government
1869-1879



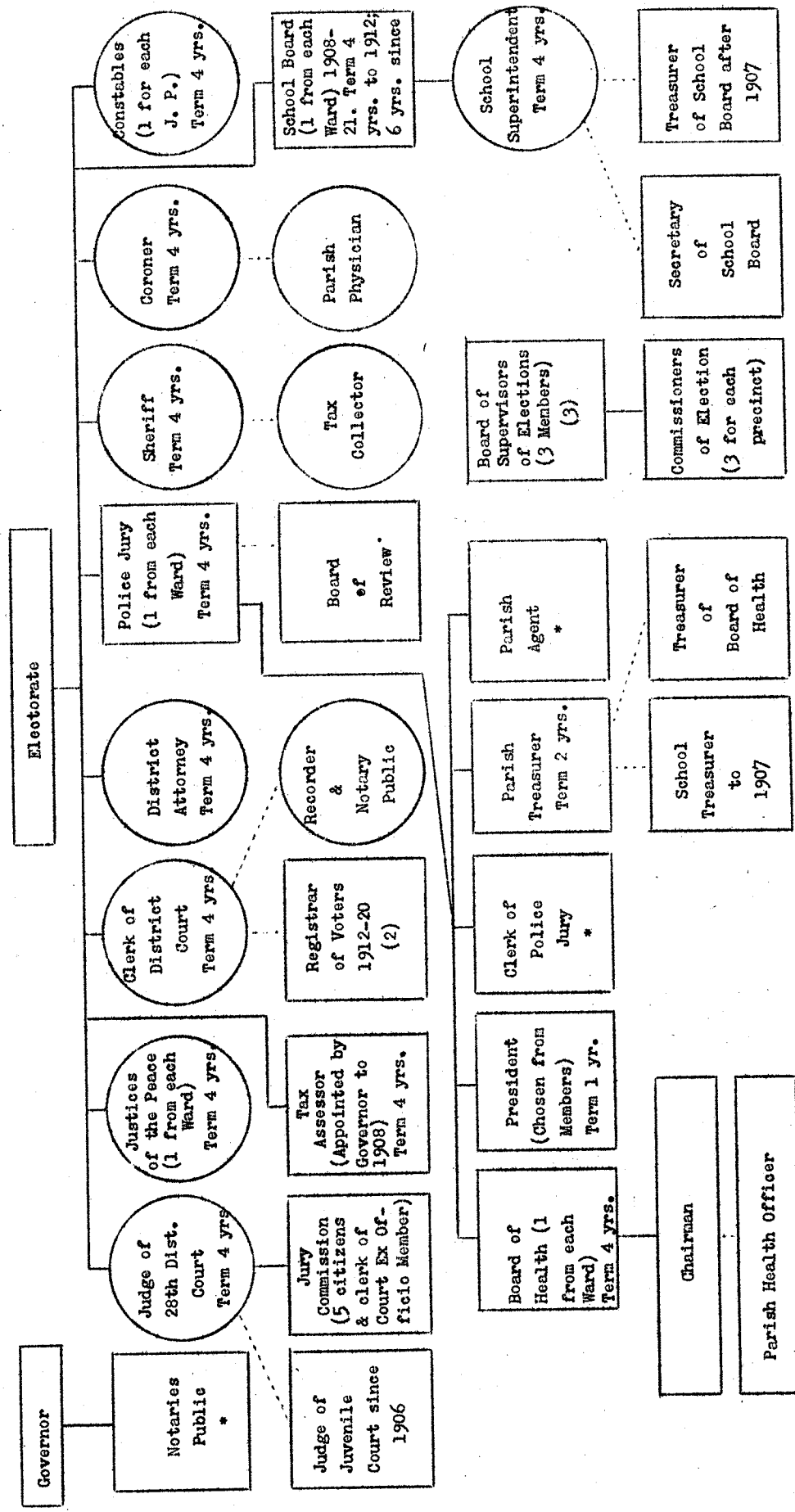
1. 1869-72, parish judge, clerk of court and two electors; 1873-76, sheriff clerk of court recorder and 2 citizens; 1877-89, clerk of court and 4 citizens appointed by district judge.
2. See essay Board of Supervisors of Elections for the many changes which occurred in this office during Reconstruction.
3. The Tax Collector was made a separate office in 1877. Appointed by the governor for term of four years.
4. Five police were elected at large for a term of two years from 1873-77. In 1877 the Governor was authorized to appoint additional police jurors not exceeding five.

Chart of Jefferson Parish Government
1880-98



1. The Police Juries of the Right and Left Banks were abolished in 1884. After 1896 members of the police jury were elected for a term of 4 years.
2. The clerk of court acted as clerk of the court of appeal when it held sessions in this parish.
3. In 1890 Jefferson was placed in the 21st judicial district.
4. Election commissioners appointed by the board of supervisors of elections after 1894.

Chart of Jefferson Parish Government
1899-1921



1. Previous to school board appointed by state board of education.
2. Tax assessor ex officio registrar of voters, 1898-1905; 1906-11 registrar appointed by governor.
3. To 1916 board composed of one member elected by the police jury, one by the governor, and the registrar of voters as ex officio member. After 1916 board composed of the registrar of voters and two appointees of the governor.

2. HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

There was no early legislation definitely fixing the seat of justice for Jefferson Parish.(1) It would appear, from the earliest records, that no courthouse was built in the parish, but that a house in the city of Lafayette was rented from Judge F. Dugue' for the use of the courts and the parish officers.(2) An effort was made in 1840 to change the meeting place of the police jury from Lafayette to the Carrollton Hotel in that city, but only one meeting was held there. At this meeting it was resolved that all future meetings be held in the "Parish Court House", evidently referring to the rented house in the city of Lafayette.(3)

In 1843, Judge Dugue' announced to the police jury his intention of selling the house which had been rented from him by the parish for use as a courthouse. A committee of the police jury was appointed to investigate the situation. This committee reported that, in their opinion, the parish jail could be repaired and renovated for use as a courthouse. This report and recommendation was adopted.(4)

After the city of Lafayette had been annexed to the city of New Orleans, the general assembly in 1853 provided for the selection of a parish seat by the voters of Jefferson Parish. This choice, however, was limited to one of three places, the city of Jefferson, the town of Carrollton, or the town of Gretna.(5) Carrollton was selected and evidently a courthouse was built there, since, in 1858, when the legislature created two distinct police juries for the parish, these bodies were instructed to hold their meetings at the courthouse in Carrollton.(6) When the city of Carrollton was added to the city of New Orleans (1874), the parish offices were moved across the river to a building at Harvey's Canal.(7)

On May 15, 1844, the police juries received notice to vacate the building at Harvey's Canal, which had been rented for the use of the courts and parish officers.(8) The next succeeding meeting of the police jury of the right bank was held, June 4, 1884, at the new courthouse in Mechanickham (now a part of the city of Gretna).(9) Although there seems to be no record of the transaction, it would appear that the parish purchased a building in Mechanickham, since, at a meeting held on May 20, 1885, the president of the police jury was empowered to seek an extension of the \$700 mortgage on the courthouse which had

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1. Cf. La. A., 1825, p. 108; ibid., 1834, p. 15.
 2. Transcriptions of Parish Records of Louisiana, No. 26, Jefferson Parish, (Gretna), Series I, Police Jury Minutes, vol. I, pp. 166, 173, 229, 316. Hereafter cited as Minute Book.
 3. Minute Book, vol. I, pp. 203-205.
 4. Minute Book, vol. I, pp. 334, 336.
 5. La. A., 1853, #103, sec. 1.
 6. La. A., 1858, #147, sec. 6.
 7. The Jefferson Sentinel, Jan. 15, 1876.
 8. Minute Book, vol. V, p. 128.
 9. Minute Book, vol. V, p. 131.

Housing, Care, and Accessibility
of the Records

fallen due on May 14.(10) In 1890 the sale of the old courthouse in the city of Carrollton was completed, and the parish of Jefferson received \$4,312 as its share of the proceeds.(11)

The building, located at the northwest corner of Newton and Third Streets in Mechanickham, continued to be used as a courthouse until the older portion of the present courthouse was erected. At a meeting held on May 3, 1905, the police jury appointed a committee to act in conjunction with the sheriff and clerk of court to investigate ways and means of building a new courthouse. This committee was authorized to visit other courthouses in the state for the purpose of studying the advantages of the various plans in order to secure the most convenient plan for the parish offices of Jefferson Parish.(12) On July 5 of the same year, the police jury tentatively approved the plans submitted by William S. Hull of Jackson, Mississippi, and voted to employ Mr. Soule' of the firm of Soule' and McDonnell of New Orleans to inspect the plans and supervise the construction of the building. The courthouse committee recommended that the new building be erected on the neutral strip in front of the Texas and Pacific Railroad station, on Copernicus Avenue, between Second and Third Streets.(13)

In October the plans of Mr. Hull were finally adopted, and the contract for the new building let to the B. F. Hull Construction Company of Jackson, Mississippi, on their bid of \$74,750.(14) Construction was evidently begun at once, for it was reported to the police jury on February 7, 1906, that the foundation had already been laid.(15) The final payment for the building was scheduled to be made on April 1, 1914.(15)

The general assembly of the state, in an act approved July 2, 1906, authorized the police jury to sell the property and improvements then being used as a courthouse, and located at the northwest corner of Newton and Third Streets.(16)

The new courthouse had, by 1924, become too small for the needs of the parish, and the courthouse and jail committee reported to the police jury the receipt of bids for enlarging the office of the clerk of court. A bid of \$2,160 was accepted.(17) In 1927, it was decided to build an annex to the courthouse, and the plans for this addition were accepted at a meeting held on December 14, 1927.(18) This addition, which contains the two large and well appointed vaults of the clerk of court and ex officio recorder, was dedicated in 1929.(19)

The office of the police jury is located on the second floor of

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| 10. <u>Minute Book</u> , vol. V, p. 184. | 15. <u>Minute Book</u> , vol. VIII, p. 58. |
| 11. <u>Minute Book</u> , vol. VI, p. 86. | 16. <u>La. A.</u> , 1906, #61. |
| 12. <u>Minute Book</u> , vol. VIII, pp. 17, 19, 20. | 17. <u>Minute Book</u> , vol. XI, p. 3. |
| 13. <u>Minute Book</u> , vol. VIII, pp. 23-25 | 18. <u>Minute Book</u> , vol. XI, p. 248. |
| 14. <u>Minute Book</u> , vol. VIII, p. 36. | 19. Information given on dedicatory plaque in the entrance hall of the building. |

Housing, Care, and Accessibility
of the Records

this annex and consists of two rooms. The smaller room is used by the secretary of the police jury and by the parish treasurer as a business office. It contains a vault in which most of the police jury records are kept; some of the older records and maps are stored in a cabinet in the basement. The other room is used by the police jury as a meeting room. All of these records are open to the public upon application to the proper authorities.

The offices and record vaults of the clerk of court and ex officio recorder are located on the first and second floors of the annex. The private office of the clerk is located on the first floor. The other part of this room, which is partitioned off, is occupied by the marriage license office and its current records, the older records being stored in the recorder's vault. Entrance to the vaults is gained through this room. The first floor vault contains principally those records which can be classified as recorder's records, that is, the conveyance records, the mortgage records, the assessment rolls, and other similar records. A steel stairway within this vault gives access to the second floor vault. Here are kept the majority of the court records. This vault has steel doors which give access to the district attorney's office and to the courtroom. The records of this office are available to the public during office hours, and there is plenty of space and equipment with which to work.

The justices of the peace of the first justice court, composed of wards one, two, and three, has his office on the first floor of the older part of the building. The offices of the other justices of the peace are in their residences.

The district attorney has two offices on the second floor, one adjoining the courtroom and the other adjoining the second floor vault of the clerk of court. The grand jury room is behind this latter office and the only entrance is through it.

The coroner has no office in the courthouse and does not keep any records. His records, which are filed with the clerk of court, will be found in the first floor vault of that office.

The tax assessor occupies three offices on the first floor of the courthouse. The outer office, next to the tax collector's office, is a work room used by the assessor's assistants. From this room there is entrance into a vault where are stored the plat books, maps, and the current assessment work sheets. The third room is divided by a partition. The first part is used by the assessor as his private office, and here are kept the official ward maps of the parish. The other part of the room is used by the board of supervisors of elections.

The offices of the sheriff and ex officio tax collector consist of a suite of two rooms on the first floor of the older part of the building, on the same side of the corridor as the assessor's offices. One of these rooms is devoted to the business of tax collection, and

Housing, Care, and Accessibility
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the other is used by the sheriff and his deputies for the transaction of those duties which pertain to the office of sheriff. This latter office contains a vault in which are stored some of the older records, such as non-current triplicates of tax receipts, and old poll books. The tax collection records are kept in the first office under the counter and in a steel safe. The current sheriff's records and the current poll books are kept in the sheriff's office, though all the financial records of the combined office are kept in the safe in the tax collector's office.

The office of the registrar of voters is directly across the corridor from the tax collector's office. This officer keeps the applications for registration and the current registration rolls in this office. The older registration rolls are kept in the second floor vault of the clerk of court.

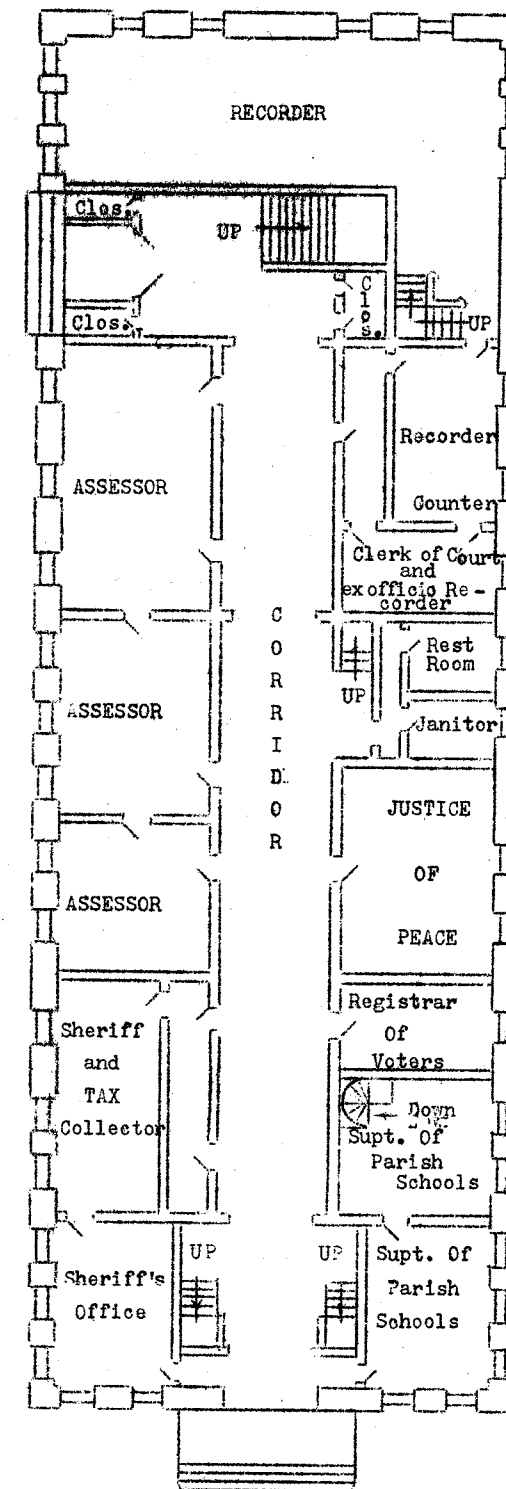
The officers of the parish school board and of the parish superintendent are next to the office of the registrar of voters and opposite the sheriff's office. Here are kept the school records as well as the necessary books and supplies. Some of the older records are stored in the basement beneath the inner office.

The office of the parish agent and of the home demonstration agent is situated on the second floor of the courthouse, immediately above the office of the sheriff. The records of these offices are not open to the public, but any desired information can be obtained by consulting the officers.

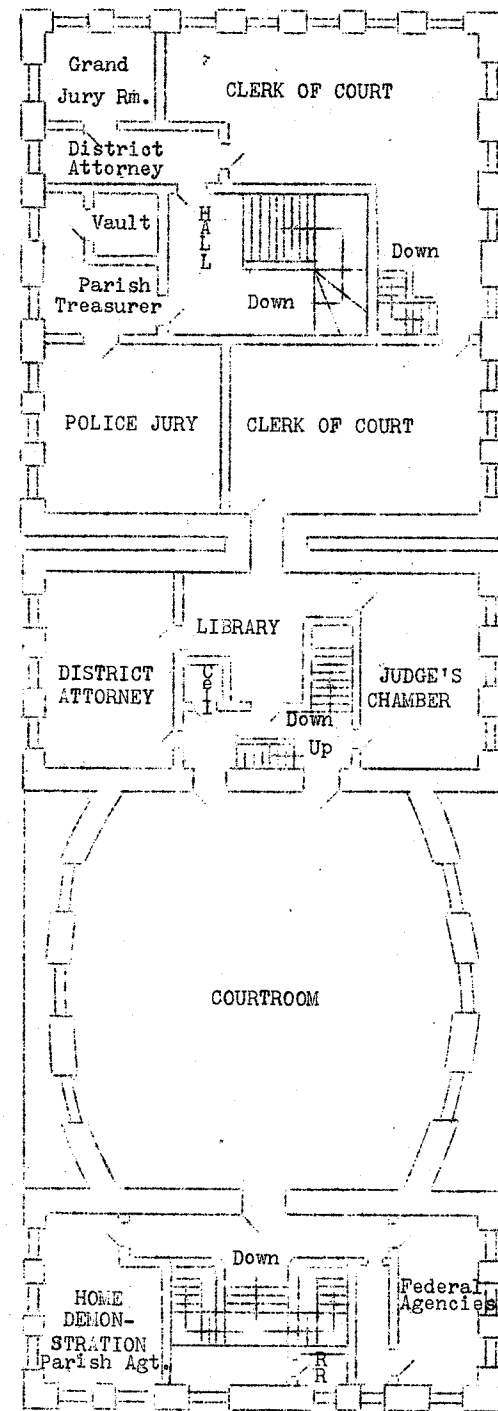
The parish board of health uses the police jury meeting room for its sessions. The older records of this board are kept in the second floor vault of the clerk of court.

The parish department of public welfare maintains its offices in the former jail of the city of Gretna. Its records are not open to the public.

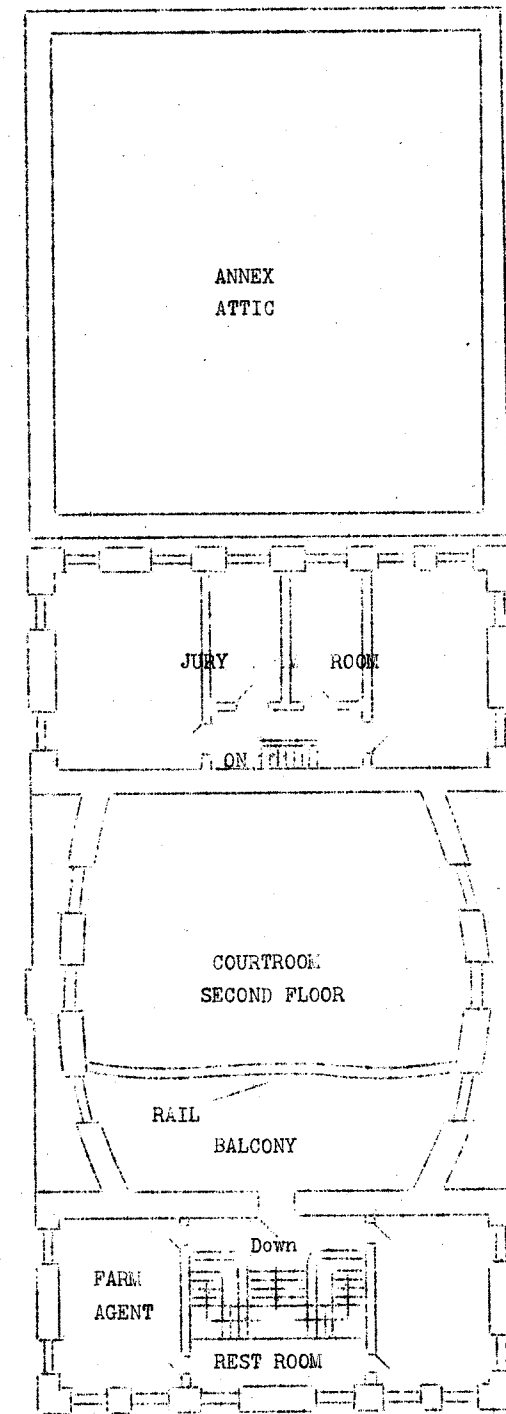
Jefferson Parish Courthouse
First Floor Plan
Scale: 1" = 24'



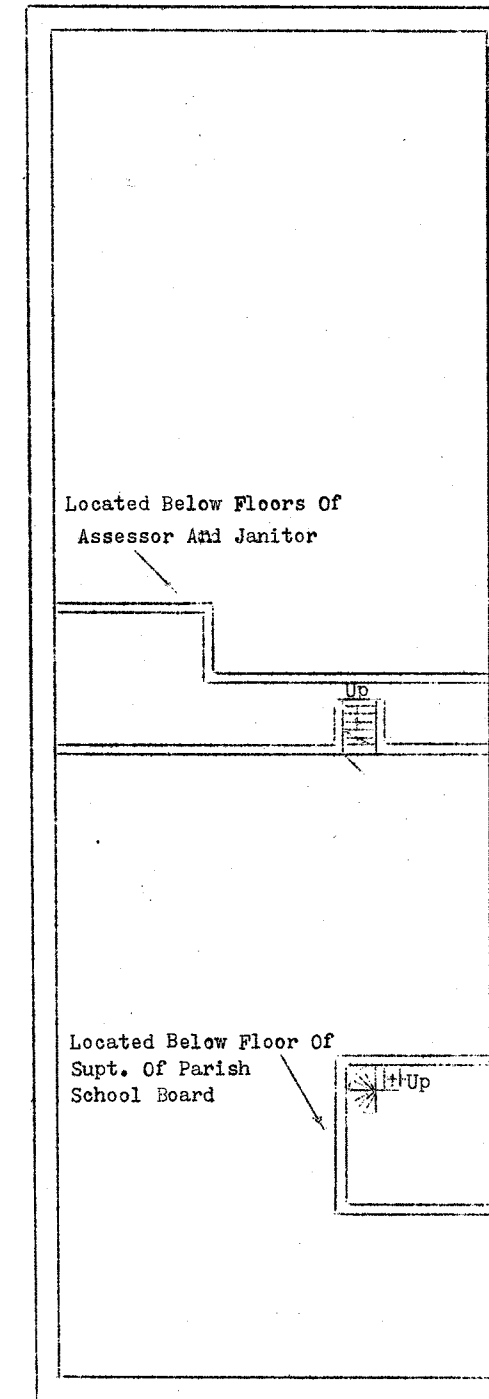
Jefferson Parish Courthouse
Second Floor Plan
Scale: 1" = 24'



Jefferson Parish Courthouse
Third Floor Plan
Scale: 1" = 24'



Jefferson Parish Courthouse
Basement Floor Plan
Scale: 1" = 24'



3. ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

alph.	.....	alphabetical, alphabetically
approx.	.....	approximate, approximately
arr.	.....	arranged, arrangement
art.	.....	article
Atty. Gen. Op.	.....	Attorney General's Opinions
aver.	.....	average
C. C.	.....	Civil Code, (1825)
C. C. C.	.....	Civilian Conservation Corps
C. Cr. P.	.....	Code of Criminal Procedure, (1928)
C. E.	.....	Civil Engineer
cf.	.....	compare
chap.	.....	chapter
comp.	.....	compiler
Const.	.....	Constitution
C. P.	.....	Code of Practice, (1825), (1870)
C. W. A.	.....	Civil Works Administration
D. P. W.	.....	Department of Public Welfare
dept.	.....	department
ed.	.....	editor
e. g.	.....	for example
E. S.	.....	Extra Session
et al.	.....	and others
f. f.	.....	following pages
ft.	.....	foot, feet (see symbols)
hdw.	.....	handwritten
idem	.....	the same reference
ibid.	.....	the same work
i. e.	.....	that is
in.	.....	inch, inches (see symbols)
incl.	.....	inclusive
infra.	.....	below, following
I. P. A. La.	.....	Inventory of Parish Archives of Louisiana
La.	.....	Louisiana, Louisiana reports
La. A.	.....	Acts of the Louisiana State Legislatures
La. Ann.	.....	Louisiana Annual Reports
La. Hist. Q.	.....	Louisiana Historical Quarterly
loc. cit.	.....	the place cited
Mart. O. S.	.....	Martin's Reports, Old Series
Mart. N. S.	.....	Martin's Reports New Series
n. d.	.....	no date given
N. Y. A.	.....	National Youth Administration
no., nos.	.....	number, numbers
numer.	.....	numerical, numerically
op. cit.	.....	the work cited
Or. Terr. A.	.....	Acts of Orleans Territorial Council & Legislatures
p., pp.	.....	page, pages
Rev. C. C.	.....	Revised Civil Code (1870)
Rev. Stat.	.....	Revised Statutes (1870)
Rob.	.....	Robinson's Reports
sec., secs.	.....	section, sections
sic.	.....	thus, according to copy

List of Abbreviations, Symbols,
and Explanatory Notes

So.	.....	Southern Reporter
St.	.....	Saint, street
supra.	.....	above, preceeding
trans.	.....	translator
U. S.	.....	United States
vol., vols.	.....	volume, volumes
W. P. A.	.....	Works Projects Administration
--	.....	current
'	.....	foot, feet, (see ft.)
"	.....	inch, inches, (see in.)
%	.....	per cent

The Entry

Exact titles of records are listed in capitals; assigned titles are in capitals but enclosed in brackets. An explanatory assigned title added beside an exact title is given in initial capitals only and enclosed in brackets.

The first and last dates of the record are shown in the title line of the entry. One date followed by two dashes signifies that this record is current, as 1924--. Continuous records are shown by a hyphen between the beginning and closing dates, as 1908-19. Gaps in the records are indicated by a comma between groups of inclusive dates, as 1893-96, 1898-1908, 1910--.

Where no statement is made that a record was discontinued at the terminal date shown in the entry, it could not be definitely established that such was the case. Where no comment is made on the absence of previous or subsequent records, no definite information on that point could be obtained.

If no comment is made on the condition of a record, it is assumed that the record is in good condition.

The dimensions of volumes, file boxes, and maps are given in inches.

Unless it is otherwise indicated, records are located in the parish courthouse and in the office under which they are listed.

Cross References

The cross references placed under the subject headings refer to records which properly belong to different departments of an office, or to another office, but which deal with the same subject; e. g., the probate records properly belong to different courts, at various periods, though naturally relate to the same subject and procedure. The records are listed under the proper court; but with subject heading cross references, see entries 254, 298, et al.

List of Abbreviations, Symbols,
and Explanatory Notes

The title line cross reference is used to show that a record completes a series, and is complemented by a body-of-entry reference. The entry containing the title line reference may be an artificial entry designed to give prominence to records, which, though differing in character, are kept or recorded together. We also use this style of cross reference for the purpose of logically segregating differing types of records, which happened to have been recorded in the same book or are kept in the same series of file boxes, see entries 254, 273, et al.

Where the subject matter of two or more entries is closely related, as for example, duplicate recordings, or an original act and the record thereof, the third paragraph cross reference is used. These references are intended to indicate the records system and the relation between different records, see entries 203, 217 et al.

Citations

All citations to published works and magazine articles are given in full the first time that one such appears in the Inventory. Thereafter a shortened form is used.

Citations to the acts of the Legislatures and General Assemblies of the State of Louisiana refer to the act and section numbers, except for the years 1813-27, 1830, 1832-35, and 1838. The acts for these years are not numbered, hence citation is made to the page of the beginning of the act in the official publication. The acts of the Legislative Council and the Territorial Legislatures, 1804-5 thru 1811, are cited by the chapter numbers in Roman numerals.

I. POLICE JURY

The act which created Jefferson Parish provided that a committee composed of Lucien Labranche, L. Dussuan, Jean Baptiste Labretton, J. Holliday, F. B. de Labarre, L. Colent Labarre, Francois Dorville, D. Villars, L. Dussuan de Lacroix, Joseph Verloin, and Felix Delery, or a majority of them, divide the parish into twelve wards so that the electors of each ward could elect one member to serve on the police jury.(1) The members so elected were (in accordance with existing legislation) to serve for a term of two years, one-half being elected each year.(2) The police jury, when organized, was authorized to enjoy the same powers and be subject to the same duties as police juries of other parishes in the state.(3)

The collection of taxes then due from the inhabitants of the newly created parish, was vested in the treasurer of the parent parish, Orleans, who was directed to proceed with the collection thereof until the following April. If these accounts were not paid by July 10th following, the treasurer was instructed to hand over the accounts to the sheriff of Orleans Parish to enforce the payment thereof. The police jury of each parish was ordered to appoint a committee to inquire into the amount of debts and properties of the parish of Orleans at the time of the division, and apportion the amount of such debts to be borne by the new parish.(4)

Although the creating act specifically granted the police jury of Jefferson all the powers and duties conferred on other police juries, as well as special powers relative to works and repairs made to levees, roads, and bridges in said parish, yet in 1834 (Jan. 15th) the said police jury, apparently uncertain of the extent of its powers and duties, requested its senator and representative to secure from the legislature the enactment of a law outlining these.(5) Shortly thereafter such an act was passed by the legislature.(6) It provided that the police jury of Jefferson should be composed of not less than eight nor more than twelve members, and that the parish should be re-districted in accordance with the number decided upon. No person was eligible to the office of police juror unless he had the qualifications necessary for membership in the state house of representatives.(7)

Elections for members of the police jury were to be held annually, but in case of failure to hold such elections, those already in office were to remain in office, and have full power to act until such time as their successors were inducted.(8) Any person duly qualified and elected, who refused to serve, was fined \$50 for the benefit of the orphan boys asylum located in the parish, unless he had served during the preceding year.(9)

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|---|-------------------------------------|
| 1. La. A., 1825, p. 108, sec. 3. | 5. Minute Book, vol. I, p. 1. |
| 2. La. A., 1813, p. 154, secs. 1, 2, 4. | 6. La. A., 1834, p. 15. |
| 3. La. A., 1825, p. 108, sec. 4. | 7. La. A., 1834, p. 15, secs. 1, 2. |
| 4. La. A., 1825, p. 108, secs. 7, 8. | 8. La. A., 1834, p. 15, sec. 11. |
| | 9. La. A., 1834, p. 15, sec. 12. |

(First entry, p. 73)

The police jury at a meeting on February 7th following decided that the number of members should remain at twelve, six to represent the right bank, two the city of Lafayette, and the other four the remainder of the parish on the left bank.(10)

The parish judge was directed to preside over the police jury, but in case of his absence or sickness, then a member chosen by and from that body presided pro tempore. The majority of the whole number forming the jury was to form a quorum for the transaction of any business.(11) Meetings were to be held at such times as were deemed proper.(12)

The police jury was vested with full power and authority to make such rules and regulations as it deemed expedient for the better police of slaves and the apprehension of fugitives; to undertake the direction of the construction and maintenance of levees, dykes, ditches, and causeways for the clearing and improving of the banks of the Mississippi River and all other navigable streams; to demolish or remove all buildings and other obstructions to the levees and batture; to cause to be removed, at the expense of the delinquent, any levees made in violation of legal prescriptions; to determine the form and height of enclosures and fences; the size and direction of ditches, wherever they were required or authorized to be made; to regulate the police of taverns, houses of public entertainment, grog shops, stores for retailing liquor, billiard tables, slaughter houses, and powder magazines; to regulate public entertainment, and prohibit and repress all disorderly and unlawful meetings or assemblages; to establish patrols and define their duties; to establish a guard and jail; to prevent hunting on enclosed grounds without the consent of the owners, lessees or overseers; to regulate the police of all animals, and the manner of disposing of stray, loose, or obnoxious animals; to prohibit the setting of fire to the marshes or the grass of any praries; to cause to be adjudged to the lowest bidder all works that are omitted or neglected to be done according to the regulations of the said jury, with full power to cause said works to be executed by journeymen or otherwise at the cost and expense of the delinquent.(13)

The jury was given the full power to appoint all the necessary officers to carry out its regulations, to define their respective powers and duties, fix their compensation, and determine the manner of their removal. It was also given authority to appoint constables and remove them from office.(14)

The police jury was ordered to have all rules, regulations, or ordinances passed by it, transcribed into a book, and signed by the presiding officer. It was empowered to establish and determine the time and manner of publishing all such rules, regulations and ordinances, and also the manner of giving notice whenever anything was to be done by virtue

10. Minute Book, vol. I, p. 7.	13. La. A., 1834, p. 15, sec. 4.
11. La. A., 1834, p. 15, sec. 2.	14. La. A., 1834, p. 15, sec. 5.
12. La. A., 1834, p. 15, sec. 13.	

of such regulations. In case of the necessity of making emergency repairs to levees, however, it could dispense with giving notice.(15) It was given authority to impose fines, not to exceed \$100 at any one time, for violating or neglecting any of its ordinances, the said fine to be recovered in the parish or justice of the peace courts.(16)

It was empowered to pass such regulations and ordinances as deemed proper to promote peace, tranquility, security, prosperity, and the welfare of the parish, and to establish a good and efficient police to carry out its policies, provided that these be not contrary to the laws of the state.(17)

The police jury was also empowered to levy and collect taxes upon slaves, immovable property, grog shops, tippling shops, and billiard tables to defray the expenses of the parish.(18)

In 1836, the city of Lafayette was denied representation on the police jury, and the authority of the police jury could no longer be exercised within its limits. The president and board of council of said city were empowered to exercise within the limits of the city all the powers heretofore vested in the police jury, in addition to the authority already granted.(19) As a consequence of this act the police jury of Jefferson divided the parish into ten wards, each one of which was to elect one member to the jury in accordance with existing laws.(20)

The powers and duties of the police jury of Jefferson were further supplemented by an act of 1842, which vested it with the authority to regulate the weight and sale of bread within the limits of the parish outside of the city of Lafayette. The act also granted it the authority to construct and repair roads, levees, streets, bridges, ditches, footways, public squares and public battures throughout the whole of the parish. Contracts for such works could be let if the jury saw fit, and could be paid for either in cash or by means of bond issues, it being understood that it could recover for such works from those against whom the charges would properly fall. Special taxes for such purposes, in addition to the general parish taxes, could be imposed on villages, boroughs or faubourgs, and collected by the parish sheriff. Any person who subdivided his property into lots or squares had to submit his plans to the police jury for its approval, and when approved, a duly certified copy of the same had to be filed with the clerk of the police jury.(21)

An unusual form of local government was instituted in Jefferson Parish in 1856. The police jury of the parish, and the respective councils of the incorporated towns were ordered to appoint, on the first

15. La. A., 1834, p. 15, sec. 6.	and boats located in the City of Lafayette.
16. La. A., 1834, p. 15, sec. 7.	
17. La. A., 1834, p. 15, sec. 8.	19. La. A., 1836, #82, sec. 1.
18. La. A., 1834, p. 15, sec. 9.	20. Minute Book, vol. I, p. 103,
It could not, however, levy a tax on grog shops, tippling shops, billard tables,	21. La. A., 1842, #80, secs. 1, 5.

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Monday of July of each year, members from their respective bodies to form a parish committee. The basis of representation on this committee was to be in proportion to the amount of state taxes assessed within their respective limits, but each corporation was to be entitled to at least one representative. The duties of this committee were: 1) to determine annually as soon as the assessment rolls had been completed, the pro rata of contribution of each corporation towards defraying the expenses of the whole parish, the ratio to be based upon the proportion of state taxes assessed within the limits of each; 2) to examine all bills or claims against the parish, and to report upon them to the several councils and police jury who acted finally thereon. The committee was authorized to appoint a secretary to keep a record of its deliberation, and also a physician to attend the parish jail. The salaries of these officers, although paid by the committee, had to have the approval of the respective corporations. The parish committee was not empowered to enter into any contract unless such authorization had been previously given by resolutions adopted by each of the corporations constituting the parish.(22)

At the same time that the parish committee was established, three commissioners of public works were ordered to be elected annually by each village in the parish. The commissioners of each village in the parish were authorized to make estimates of the cost of public works for the following year, and post such estimates for the information of the voters. An election was then held in each village to determine whether such public works program should be carried out. If the vote was affirmative the commissioners of each village were authorized to lay an improvement tax upon the property holders to defray the costs, and could appoint a tax collector to collect the tax. Contracts for such works were to be let to the lowest bidder. These commissioners were required to make a detailed statement of their activities to the police jury.(23)

In 1858 the territory under the jurisdiction of the police jury of Jefferson Parish was divided into two police jury districts. One of these was to be known as "The Police Jury of Jefferson, Right Bank", to be represented by one police juror from each ward; the other as "The Police Jury of Jefferson, Left Bank", composed of that part of the parish on the east of the Mississippi River, exclusive of the city of Jefferson and the town of Carrollton.(24) The existing wards on the right bank were to remain the same, but the left bank was to be divided into seven wards. Elections for members were to be held in each ward of the parish under this new law on the first Monday of June, 1858, and annually thereafter. Each of the police juries were vested with all the powers, within their respective districts, as had been exercised by the former police jury, and each was to be represented on the parish committee as set up two years previously.(25) The police juries of said parish were granted permission to settle the assets and liabilities of the former jury on the basis of the state taxes assessed within their respective

22. La. A., 1856, #138. in the meantime, been incorporated
 23. La. A., 1856, #55. into the City of New Orleans; cf.
 24. La. A., 1858, #147, sec. 1. La. A., 1852, #72.
 The City of Lafayette had, 25. La. A., 1858, #147, secs. 3, 4.

limits.(26) They were directed to meet at the Carrollton courthouse at the call of their presidents, or either of them, to appoint election commissioners and establish new election precincts.(27)

The police juries of the state, with the exception of those of Jefferson and Orleans, were reorganized in 1871, and the governor authorized to appoint, with the advice and consent of the senate, five police jurors to hold office until the election of 1872, at which time five members were to be elected in each parish, for a term of two years.(28) Two years later this act was amended and made applicable to Jefferson Parish, but the two police juries were to remain as set up by previous legislation.(29)

In 1877, the governor was authorized to appoint, with the approbation of the senate, in such "country parishes" as he saw fit, additional jurors, not to exceed five in number, who with those elected at the last general election were to constitute the jury until the next election.(30)

The term of office of all police jurors in the state was terminated on the first Monday in April, 1880, and it became the duty of the governor immediately to appoint their successors. These appointees were to hold office until the next election.(31) In 1882, however, the governor was again authorized to appoint the police jury members, who were to hold office until the election of the year 1888.(32) In 1884 the separate police juries of the right and left banks were abolished and the parish consolidated under one parochial government under the title of "The Police Jury of the Parish of Jefferson". This jury was to consist of nine members appointed by the governor, one from each ward into which the parish was re-districted. The obligations of the previous divisions were to be binding on those districts, but were to be liquidated by the new parochial authority.(33) At the same time the commissioners of public works for the villages and towns of the parish were abolished, and these towns and villages returned to the control of the police jury.(34)

The same legislature which provided for the consolidation of the parochial government of Jefferson also empowered the governor to appoint an additional juror for each ward with a population of 5,000 inhabitants, and one more for each additional 5,000 inhabitants or part thereof in excess of 2,500. These additional jurors were to be selected from the registered voters of the ward.(35)

Under the authority of a series of acts similar to those of 1880 and 1882 the governor continued to appoint the successors to the police jury

26. La. A., 1858, #147, sec. 5. For a report of the committee on the state of the finances of the parish, see Minute Book, vol. III, pp. 6 ff.
 27. La. A., 1858, #147, sec. 5, 6.
 28. La. A., 1871, #97, sec. 1.
 29. La. A., 1873, #15.
 30. La. A., 1877, E. S., #57. This act was not put into effect in Jefferson Parish.
 31. La. A., 1880, #37.
 32. La. A., 1882, #97.
 33. La. A., 1884, #92.
 34. La. A., 1884, #93.
 35. La. A., 1884, #94.

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until 1896.(36) Control over local affairs was made possible by an act of 1894 which provided that the election of police jurors be resumed in all the parishes, except Orleans, at the general state election to be held in April, 1896, and at each general state election thereafter, i. e., every four years.(37)

Since 1908, Jefferson and other parishes with a population of less than 50,000 have been entitled to elect one additional police juror in those wards where there are more than 5,000 inhabitants, and one more for each additional 5,000 or part thereof in excess of 2,500 inhabitants. The provisions of this act entitle wards three and eight of Jefferson Parish to two police jurors each, and ward four to four jurors, making a total of fourteen police jurors for the nine wards of the parish.(39)

At the time that Jefferson Parish was established, the candidate for membership to the police jury was required to be a responsible inhabitant, and a freeholder in the parish.(40) In 1829 candidates to this office were required to have the same qualifications as members of the state house of representatives.(41) Since 1894 candidates must, in addition to the above, be able to read and write, and own in his own right or whose wife owns in her own right, property of an assessed value of at least \$250 in the parish.(42) This assessed value must be on the assessment roll at the time of the general election or the candidate is not

36. La. A., 1886, #20; ibid., 1890, #119.
 37. La. A., 1894, #161.
 38. La. A., 1908, #279; ibid., 1934, 3rd E. S., #22, sec. 3.
 39. State of Louisiana, Roster of Officials, Corrected to January 15, 1939, Baton Rouge, 1939, p. 78.
 40. Cf. Or. Terr. A., 1811, XXXVI, sec. 3.
 41. La. A., 1829, #23; Rev. Stat., sec. 2727. According to the Constitution of 1812, art. II, sec. 4, members of the house of representatives were required to be free, white, male citizens of the United States at the time of election, over twenty-one years of age, a resident of the state for two years preceeding election, and the

last year in the parish for which he was chosen, and the owner of landed property to the value of \$500, agreeable to the last assessment list, held for one year in the parish. The Constitution of 1845, art. 6, increased the resident qualification to three years in the state and parish, but did not require any property qualifications. All subsequent constitutions provided that every duly qualified elector was to be considered eligible to a seat in the house of representatives. Const., 1852, art. 6; Const., 1864, art. 8; Const., 1868, art. 18; Const., 1879, art. 22; Const., 1898, art. 24; Const., 1913, art. 24; Const., 1921, art. III, sec. 9.
 42. La. A., 1894, #94.

eligible.(43)

Vacancies in the office until 1880, whether occasioned by death, resignation, or absence of any member were to be filled by election, called by the president, in the ward where the vacancy existed.(44) During the period 1880 to 1896, when the appointment of police jurors was vested in the governor, vacancies were naturally filled by him.(45) From 1896 to 1906 vacancies were filled by special election as formerly.(46) An act of 1906 provided for the filling of all vacancies in the police jury membership, by means of special elections called by the governor and held within sixty days of the occurrence of the vacancy.(47) Since 1916, the governor has been empowered to fill vacancies for the unexpired term, but such appointees must possess all the qualifications required by law for the office.(48)

The president of the police jury until 1830, was the parish judge. In that year the police jury was authorized to choose annually a president from its own membership.(49) In 1833, the presidency was restored to the parish judge in Jefferson Parish and other parishes situated on the banks of the Mississippi River,(50) and he continued in this capacity until 1847, at which time the police jury was empowered to elect a president from its own body to serve for a term of one year.(51) Since then the president has been elected in the same manner,(52) even though for the period 1858-84 there were two presidents elected by the respective police juries of the right and left banks.(53) The resignation of the president, either from office or as a member must be tendered to the police jury.(54)

Whenever the president of the police jury of Jefferson Parish was absent, that body chose a president pro tempore from among themselves.(55) Since 1850 the clerk of the district court has been authorized to convene the police jury whenever there is a vacancy in the office of president.(56)

43. Opinions and Reports of the Attorney General of the State of Louisiana, from April 1, 1936, p. 852.
 44. La. A., 1813, p. 154, sec. 3; ibid., 1847, #106, sec. 2; Rev. Stat., sec. 2737; La. A., 1871, #97, sec. 4; ibid., 1877, E. S., #57, sec. 4.
 45. La. A., 1880, #37; ibid., 1882, #94; ibid., 1884, #94, ibid., 1886, #20; ibid., 1890, #119.
 46. Cf. Rev. Stat., 2737.
 47. La. A., 1906, #59.
 48. La. A., 1916, #236.
 49. Or. Terr. A., 1811, XXXVI, sec. 3; La. A., 1813, p. 154, sec. 4; ibid., 1816, p. 160, sec. 2; ibid., 1830, p. 130, sec. 3.
 50. La. A., 1833, p. 91, sec. 2; ibid., 1834, p. 15, sec. 2.
 51. La. A., 1847, #106, sec. 3.
 52. Rev. Stat., sec. 2735; La. A., 1871, #97, sec. 2.
 53. La. A., 1858, #147, sec. 3.
 54. La. A., 1847, #106, sec. 7; Rev. Stat., sec. 2738.
 55. La. A., 1824, p. 134; ibid., 1834, p. 15, sec. 2; Rev. Stat., sec. 2739.
 56. La. A., 1850, #37; Rev. Stat., sec. 2733.

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In addition to presiding at the meetings of the police jury, other duties have been prescribed for the president. It is his duty to sign all ordinances that are passed;(57) to accept with the clerk of the district court, all bonds given by parish officers;(58) to transmit annually to the auditor of public accounts, a detailed report on parochial affairs;(59) and to receive applications and license persons wishing to engage in business as transient merchants.(60) Between 1852 and 1868 the president of the police jury was authorized to fill any vacancies occurring in any board of school directors.(61) Whenever the president neglects to perform any of the duties imposed on him by law, without reasonable excuse, he must forfeit a sum of money for each failure. This sum may be recovered before any court of competent jurisdiction.(62)

At the time the parish was created meetings of the police jury were required to be held semi-annually in accordance with existing laws.(63) In 1834, however, the Jefferson Parish police jury was authorized to hold meetings whenever it was deemed expedient.(64) Notices to members are necessary only in the case of special meetings.(65) Sessions of the police jury are now limited by restrictions placed on the amount of per diem allowable in any one year.(66)

A majority of all the members must be present to constitute a quorum to do business to levy any parish tax or to make any appropriations.(67) To re-district the parish into wards it is necessary that two thirds of the members of the police jury be present and vote for such measure.(68) Any police juror having a personal or monetary interest in any ordinance or measure must state that fact and refrain from voting thereon.(69)

For non-attendance at meetings a fine of not less than \$10 nor more

- 57. La. A., 1816, p. 160, sec. 7; *ibid.*, 1834, p. 15, sec. 6.
- 58. La. A., 1855, #92, sec. 1; *ibid.*, 1868, #17, sec. 1; Rev. Stat., sec. 351; La. A., 1877, #11.
- 59. La. A., 1877, #74, sec. 104; *ibid.*, 1890, #40, sec. 2.
- 60. If a person acts as agent for another, he is required to file a power of attorney with the president of the police jury appointing him the agent of the principal, on whom process may be served in any suit commenced against him. La. A., 1932, #112, secs. 3, 4.
- 61. See the Parish School Board, *infra.*
- 62. La. A., 1818, p. 72, Rev. Stat., sec. 2741; La. A., 1877, E. S., #57, sec. 6.
- 63. La. A., 1816, p. 160, sec. 2; *ibid.*, 1830, p. 130, sec. 4.
- 64. La. A., 1834, p. 15, sec. 13; Rev. Stat., sec. 2731. At its meeting held Jan. 18th, 1834 the police jury resolved to hold regular meetings on every second Monday of each month. Cf. *Minute Book*, vol. I, p. 3.
- 65. La. A., 1818, p. 72, sec. 7; Rev. Stat., sec. 2734.
- 66. See footnotes 72-78.
- 67. La. A., 1847, #106, sec. 5.
- 68. La. A., 1877, E. S., #57, sec. 2; *ibid.*, 1935, 4th E. S., #38, sec. 2; Attorney General, *op. cit.* pp. 844-845.
- 69. La. A., 1906, #200, secs. 1, 2.

than \$30 could be imposed on any member having no legal excuse.(70) Since 1871 failure to attend meetings has subjected the police juror to a fine of \$10 for every day he is absent. Such a member is not permitted to draw per diem while the fine remains unpaid, nor can he avoid the fine by resigning.(71)

Until 1871 members received two dollars for each day that they were actually engaged in the business of the parish. This per diem was paid out of the parish treasury on the warrant of the president.(72) A law of 1871 allowed members five dollars per diem for not more than thirty days in any one year, but members who resided at a distance of more than fifteen miles from the courthouse were allowed one additional day at each regular session attended.(73) The schedule of payment was altered in 1877 by authorizing the police jury to fix its own compensation, but this was limited to not more than \$3 per diem and not more than ten cents per mile to and from the courthouse, with payments limited to fifteen days in any one year.(74) In 1904 the number of allowable days was increased to twenty-five, but at least six days of this time was to be spent in the inspection of roads and bridges.(75) The limit was increased to thirty days in 1914 of which eleven days were to be spent in road and bridge inspection.(76) In 1920 the per diem was increased to five dollars, and the mileage decreased to five cents a mile to and from the courthouse. Mileage for only one round trip could be charged for each session.(77) The recent session of the legislature increased the per diem to ten dollars.(78)

Police jury members are forbidden to draw money from the parish treasury except that the parish treasurer is authorized to pay official expenses of any officer or member acting under its authority.(79) They are likewise forbidden to be interested directly or indirectly in

- 70. La. A., 1818, p. 72, sec. 2; Rev. Stat., sec. 2742. *Minute Book*, vol. I, Jan. 18, 1834, p. 3.
- 71. Such fines may be recovered before any competent court at the seat of the parish. The president of the police jury notifies the district attorney of such failure to attend, and the latter proceeds at once to collect the same. La. A., 1871, #97, sec. 5; *ibid.*, 1877, E. S., #57, sec. 6.
- 72. La. A., 1816, p. 160, sec. 6; *ibid.*, 1818, p. 72, sec. 5; Rev. Stat., sec. 2740.
- 73. La. A., 1871, #97, sec. 5. Made applicable to Jefferson by amendment. See La. A., 1873, #15.
- 74. La. A., 1877, E. S., #57, sec. 5. This section was amended in 1900 to allow police jurors in parishes with a population of more than 30,000 a per diem limit of 25 days instead of 15. This act did not apply to Jefferson Parish, inasmuch as it did not, at that time, have a population of 30,000.
- 75. La. A., 1904, #102, secs. 1, 2.
- 76. La. A., 1914, #275.
- 77. La. A., 1920, #52.
- 78. La. A., 1938, #149.
- 79. La. A., 1898, #22, sec. 1; *ibid.*, 1912, #189, sec. 1; *ibid.*, 1920, #16, sec. 1.

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any contracts payable by the parish, nor can they deal in parish paper.(80) Any member who has a personal or private interest in the adoption or passage of any ordinance, resolution or motion, must declare that fact and refrain from voting on the same. Violations of these restrictions subjects any member to a fine.(81)

The public works powers of the police jury of Jefferson Parish were outlined in broad general terms in the act of 1834. These powers have been supplemented and re-affirmed in subsequent acts of the legislature. In regard to public buildings, the police jury is required to erect and furnish the necessary buildings, furniture, equipment, heat, and illumination for the holding of the sessions of the court (justices of the peace excepted) as well as for the clerks, and sheriffs of said court; and for the recorder, tax collectors, and the assessors.(82) It is empowered to pass regulations for the supervision of the construction, repair and maintenance of roads, levees, streams, bridges, causeways and dikes. It may divide the parish into road and levee districts and appoint syndics or overseers to supervise the work in such districts.(83)

- 80. La. A., 1898, #22, sec. 2; ibid., 1912, #189, sec. 2; ibid., 1920, #16, sec. 2.
- 81. La. A., 1906, #200.
- 82. La. A., 1932, #180, Cf. La. A., 1813, p. 160, sec. 10; ibid., 1868, #51, sec. 2; Rev. Stat., secs. 2018, 2746; La. A., 1880, #111, sec. 1; ibid., 1904, #132, sec. 5; Const., 1913, art. 106.
- 83. Or. Terr. A., 1807, XVIII; La. A., 1813, p. 154, sec. 5; ibid., 1823, p. 48; ibid., 1829, #31; ibid., 1831, #4; ibid., 1855, #312; ibid., 1858, #204; ibid., 1868, #207; Rev. Stat., secs. 2750, 2755, 3373; La. A., 1877, E. S., #140; ibid., 1880, #88, #100, #101, #112; ibid., 1882, #104; ibid., 1884, #84, #119, #202; ibid., 1898, #21, #115; ibid., 1902, #119, #202; ibid., 1912, #67; Const., 1913, art. 291; La. A., 1914, #183, #184; ibid., 1916, #199; ibid., 1917, E. S., #30; ibid., 1918, #215, ibid., 1920, #89; Const., 1921, art. XIV, sec. 14; La.

A., 1921, E. S., #65, #118; ibid., 1924, #177; ibid., 1932, #177. See also regulations of police jury, adopted Feb. 7, 1834, relative to highways, bridges, levees and the duties of syndics. Minute Book, vol. I, pp. 5-17. During the existence of two police juries for the parish a number of special public works acts were passed for each. In 1859 the police jury, left bank, was authorized to construct two shell roads, borrow \$16,500 for their construction, and issue bonds for the amount of such loan. La. A., 1859, #177. In 1861 it was authorized to pass ordinances relative to the construction and repair of streets, ditches, roads, and levees in the villages on the left bank. In 1868, 1870, 1872, and 1874 it was authorized to construct more roads. La. A., 1861, #257; ibid., 1868, #109; ibid., 1870, #36; ibid., 1872, #94; ibid., 1874, #58. The police jury, right bank, was authorized to alter and shorten a part of the public road leading from the Mississippi River to Bayou Barataria, in 1871. La. A., 1871, #59.

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The police jury may create irrigation districts on its own initiative or when petitioned by 20% of the taxpayers residing in the proposed district.(84) It may also create navigation districts,(85) construct, deepen, widen, improve and maintain navigation canals, channels, streams, lakes, and other water courses for navigation purposes.(86) It is authorized to divide the parish into drainage districts,(87) gravity drainage and sub-drainage districts.(88) It may create sewerage districts outside of incorporated limits of municipalities,(89) and establish waterworks districts.(90)

The police jury has supervisory and regulatory powers over various public utilities such as street railway, gas, electric light, heat, power, waterworks, or other local utility. It may, however, surrender this power to the state public service commission, if the proposition to do so receives a majority vote of the electors at a general or special election held for that purpose.(91) This regulatory control over public utilities has, since 1934, been confined to only those public utilities owned by the public.(92) The parish may own and operate gas plants and other public utilities.(93) It has authority to grant franchises outside of incorporated cities, towns, and villages for the construction, maintenance, and operation of electric light and power lines, and for the laying and maintaining of water and gas mains. No such franchises, however, can be granted without first receiving the written consent of the state highway engineer.(94) The police jury of Jefferson has been vested with the power to grant and sell franchises, at public auction, to construct and operate street railways over the streets of unincorporated towns and villages, and the streets and roads connecting or running to or between said villages, and towns. In the case of railways partly in the parish of Jefferson and partly in the city of New Orleans, the franchises are to be sold jointly by the city council of New Orleans and the police jury of Jefferson Parish.(95)

The recent legislature has empowered the police jury of Jefferson Parish to create a building commission, with power to control, supervise, and regulate the construction of all buildings in the parish outside of incorporated municipalities.(96) It may also create a plumbing inspection board to regulate the plumbing of all such buildings in the same area.(97)

- 84. La. A., 1926, #275.
- 85. La. A., 1914, #302.
- 86. La. A., 1921, E. S., #62.
- 87. La. A., 1888, #107; ibid., 1890, #83, #142; ibid., 1894, #37; ibid., 1896, #125; Const., 1898, art. 281; La. A., 1902, #159; ibid., 1904, #186; Const., 1913, art. 281; La. A., 1921, E. S., #85; ibid., 1926, #272; ibid., 1928, #200.
- 88. La. A., 1924, #238.

- 89. La. A., 1921, E. S., #46, sec. 2; ibid., 1924, #209, #222; ibid., 1936, #244.
- 90. La. A., 1926, #343.
- 91. Const., 1921, art. VI, sec. 7; La. A., 1921, E. S., #116; ibid., 1932, #203.
- 92. La. A., 1934, 2nd E. S., #6.
- 93. La. A., 1920, #21.
- 94. La. A., 1924, #127.
- 95. La. A., 1902, #36.
- 96. La. A., 1938, #236.
- 97. La. A., 1938, #238.

The police jury has the exclusive right to license and establish ferries and toll bridges within the limits of the parish, and to fix and regulate ferriage rates. Where streams separate parishes, however, the police juries of the respective parishes must act in concert in all matters relating to ferries and toll bridges over such streams.(98)

The recent growth and development of aviation has resulted in the passage of legislation permitting parishes to expropriate and otherwise acquire private property within their limits for airports and landing fields, to own, operate, and improve (whether owned by the parish or not) airports, flying fields, landing fields, and bombing ranges. It may donate such property to the United States. The police jury, in order to acquire such works of public improvement, may incur and re-fund debt, and issue negotiable bonds when authorized by vote of a majority, in number and amount, of the property taxpayers.(99)

Permission has been granted (by a recent constitutional amendment) the police jury to establish and maintain industrial plants for converting or processing farm or agricultural products. It must, however, have the authorization of the entire parish, or of any particular police jury ward for such undertakings, and such plants cannot be established in competition with similar plants already operating in the parish.(100)

Due to the increasing demands of citizens for recreational and educational facilities, the police jury has been given various powers for such purposes. In 1910, a law was enacted which gave it authority to erect and maintain libraries, when petitioned by twenty-five citizens, and if such petition met with no objections.(101) More recently the police jury may on its own initiative, and must, when petitioned by not less than 25% of the property taxpayers, establish a public library. Two or more parishes, or a parish and one or more municipal corporation, may jointly establish a library. The parish library must be located at the parish seat, but branches may be maintained at other places. Funds for such purposes may be derived from the residue of the general parish

98. This right did not extend to ferries and toll bridges already established, until the expiration of the charter granted, nor to ferries and toll bridges owned by municipalities. Ferries and toll bridges must be let to the highest bidder. In 1855, it was provided that ferries could be licensed for a five year period. Since 1906, a lease may run for ten years. *Ibid.*, 1855, #302; *ibid.*, 1860, #171;

99. *La. A.*, 1924, #39; *ibid.*, 1928, #24, #239; *ibid.*, 1928, E. S., #5; *ibid.*, 1930, E. S., #5; *ibid.*, 1936, #222.

100. *La. A.*, 1938, #392, amending art. XIV of the Constitution.

101. *La. A.*, 1910, #149.

tax or from a bond issue.(102)

The police jury may also set up a system of supervised recreation, and by resolution or ordinance, maintain and conduct playgrounds, recreation centers, and other like facilities, through the school board or other existing bodies, or through a playground and recreation board, as it may determine. Two or more parishes may join in such a system, and the school board may join with the parish in supporting such projects.(103) Parish fair grounds may be erected and maintained if the parish votes the necessary tax levies at a special election.(104)

At a very early date (1817) the police jury had been given the power to sue any person for whose account any public works or repairs had been made.(105) The supreme court held, that this law necessarily implied that the police jury could be sued, as incidental to express powers granted.(106)

An act of 1924 made it unlawful for the police jury to purchase any material or supplies, or let any contracts, except in emergencies, involving more than \$250, without first advertising for bids for a period of ten days in the official journal of the parish.(107) Two years later this law was repealed and new legislation required the advertisement for bids when the material or supplies to be purchased, or the contract to be let, involved more than \$500. Contracts for amounts between \$500 and \$1,000 had, until 1935, to be advertised not less than ten days, while those over a \$1,000 not less than thirty days.(108) Since 1935, contracts for amounts between \$500 and \$1,000 must be advertised at least once a week for two weeks.(109) All bidders must submit with the bid, a certified check for not more than 5% of the estimated supplies or contract. Contracts are let to the lowest bidder, and he must furnish bond for not less than one half of the amount of the contract.(110)

One of the first taxing powers granted the parish assembly, and which was inherited by the police jury of Jefferson Parish when established, was for the purpose of raising funds for purchasing, erecting, or renting a courthouse, for erecting a jail, for maintaining the same, for paying the expenses of the prosecution of indigent criminals, and for all

102. *La. A.*, 1926, #36.

103. *La. A.*, 1924, #200; *ibid.*, 1934, #187.

104. *Const.*, 1921, art. XIV, sec. 11; *La. A.*, 1921, E. S., #112.

105. *La. A.*, 1817, p. 154, sec. 3; *Rev. Stat.*; sec. 2743; *La. A.*, 1898, #115; *ibid.*, 1902, #202; *ibid.*, 1928, #234.

106. Robert Dabney Calhoun, "The Origin and Early Development of County-Parish Government in Louisiana" in *La. Hist. Q.*, 1935, XVIII, p. 128, which cites 7 Martin's Reports, (Old Series p. 8, 1819).

107. *La. A.*, 1924, #249.

108. *La. A.*, 1928, #190.

109. *La. A.*, 1935, 4th E. S., #20.

110. *La. A.*, 1924, #249; *ibid.*, 1926, #73.

other expenses which by law were chargeable to the parish.(111) The power to levy taxes for defraying the expenses of public works, a tax to be assessed equally on real and personal property, slaves and other property, was another inheritance of the Jefferson Parish police jury.(112) In 1830 a tax on grog shops was permitted.(113) Probably the first effort to secure a uniform parish tax was made in 1847, when the law provided that such taxes be levied at a uniform percentage on every species of property, trade or profession, on which the state assessed a tax, but this was not to be so construed as to prevent the police jury from levying a special tax on land for the construction and support of levees.(114) Taxes for parish purposes were limited to a one third proportionate addition to the state tax, provided, however, that when a larger amount was necessary for the erection of public buildings, the construction of public works, the payment of existing debts, or the payment of jurors; this amount could be raised by levies on other objects taxable by law.(115) In 1852, the police jury was authorized to provide for the poor by taxation or otherwise.(116) During the period 1867 to 1921, it was authorized to levy and collect a limited per capita tax from all adult males for the purpose of keeping roads in repair.(117) In 1878 it was directed to impose and collect taxes to defray the expenses in criminal proceedings.(118)

For the period 1879 to 1921 a limitation was placed on parish taxes for all purposes whatsoever (i. e., for expenses of parish government and for general parochial purposes) of ten mills on the dollar of valuation.(119) Since 1921, taxes for such purposes have been limited to four mills on the dollar, which is in addition to taxes for public schools, and other taxes levied in virtue of special elections and special laws.(120)

The police jury of Jefferson Parish inherited the authority to levy a tax on land and slaves, not in excess of \$1,000 per annum for the purpose of promoting public education.(121) In 1870 it was authorized to levy a special school tax not to exceed two mills on the dollar;(122) and in 1888 not less than one and a half of the ten mills general tax.(123) In 1902 the police jury was authorized to levy six mills on the dollar of the ten mills tax, but could not levy less than one and a quarter

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| 111. Or. Terr. A., 1807, I, sec. 25; see also Or. Terr. A., 1804-5, sec. 1. | 1913, art. 292. |
| 112. La. A., 1813, p. 154, sec. 5. | 118. La. A., 1878, #92. |
| 113. La. A., 1830, p. 130, sec. 5. | 119. Const., 1879, art. 209; Const., 1898, art. 232; Const., 1913, art. 232. |
| 114. La. A., 1847, #106, secs. 5, 8. | 120. Const., 1921, art. XIV, sec. 11; La. A., 1921, E. S., #88. |
| 115. La. A., 1847, #224, sec. 34. | 121. La. A., 1821, p. 62, sec. 4. |
| 116. La. A., 1852, #238. | 122. La. A., 1870, E. S., #6, sec. 46; <i>ibid.</i> , 1877, E. S., #23, sec. 28. |
| 117. La. A., 1867, #197; Rev. Stat., sec. 2387; Const., 1898, art. 291; Const., | 123. La. A., 1888, #61, sec. 54. |

mills.(124) Since 1908 taxes for school purposes have been compulsory. The police jury has been required to levy a tax of not less than three mills on the dollar of the assessed valuation of property, unless the school board certifies that a smaller tax will meet the needs of schools.(125)

The Constitution of 1879 and subsequent constitutions and legislation have provided that for the purpose of erecting and constructing public buildings, bridges, and works of public improvement (since 1898 the following are also included: for giving additional support to public schools, for building wharves, levees, and sewerage work) in the parish, taxes may be levied above the limitations prescribed when the rate of such increase and the purpose for which it is intended is submitted to a vote of the property taxpayers entitled to vote, and such increase is approved by a majority of the taxpayers in number and amount.(126) In addition to the above, special taxes may be voted for and levied, for the purchase and improvement of grounds and for premium awards for parish or district fairs.(127) Since 1934, a definite maximum has been fixed upon the amount of special taxes which, however, may be levied or voted upon. Such special taxes cannot exceed, in any one year, five mills on the dollar for any one of the said purposes; for all purposes it cannot exceed, in any one year, twenty-five mills on the dollar.(128)

The police jury and municipal corporations were empowered to subscribe to stock of corporations undertaking works of internal improvement in 1855. Ordinances passed for such subscriptions had to contain a statement of the number and amount of shares to be subscribed, and the rate of taxation to be imposed on landed estates to pay the amount of subscription, and the time it was to be payable. No ordinance was valid until it had been approved, by special election, by a majority of the voters on whose property the tax was to be levied. If the ordinance was rejected, subsequent elections for the same purposes could be held at intervals of not less than six months.(129) Since 1879 the police jury has been directed to levy a special tax in aid of such corporations or railways enterprises whenever one third of the property taxpayers petition it to levy such a tax and an election is held for that purpose and approved by a majority of the property taxpayers in number and value. This tax cannot exceed the rate of five mills per annum nor extend for

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| 124. La. A., 1902, #218, sec. 63. | #118; Const., 1913, art. 232; Const., 1921, art. X, sec. 10; La. A., 1921, E. S., #46; <i>ibid.</i> , 1924, #11; <i>ibid.</i> , 1930, #60. |
| 125. La. A., 1908, #27; <i>ibid.</i> , 1910, #257; Const., 1913, art. 255; Const., 1921, art. XII, sec. 15; La. A., 1934, #75. | 127. Const., 1921, art. XIV, sec. 11; La. A., 1921, E. S., #112. |
| 126. Const., 1879, art. 209; La. A., 1882, #41, #126; Const., 1898, art. 232; La. A., 1898, #131; <i>ibid.</i> , 1902, #214; secs. 18-22; <i>ibid.</i> , 1910, #256; <i>ibid.</i> , 1912, | 128. La. A., 1934, #83 amends sec. 10, art. X of the Const. of 1921. |
| | 129. La. A., 1855, #15. |

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a longer period than ten years.(130)

In addition to general taxes and taxes authorized by elections, the police jury may impose special taxes authorized by law. Graduated license taxes may be levied on classes of persons, associations, and corporations pursuing any trade, business, occupation, vocation or profession, except on clerks, laborers, ministers, school teachers, graduated trained nurses, those engaged in mechanical, agricultural or horticultural pursuits or in operating saw mills. Since 1916 this also includes a license tax on business severing natural products from the soil. No greater license tax can be imposed than that which is imposed for state purposes, and persons who pay municipal license taxes equal in amount to such taxes levied by the parish, are exempt from such parish license taxes.(131) It is empowered to levy a per capita tax on dogs, not to exceed \$2, the proceeds of which are used for school purposes.(132) Since 1928 it has been authorized to levy a tax on gasoline and other motor fuel, the proceeds of which, until recently, were used for road purposes. Now the tax is collected by the state and apportioned to the parishes for welfare purposes.(133) In the same year (1928) the police jury was authorized to regulate and impose a privilege tax on all circuses, carnivals, shows, theatres, pool and billiard tables, bowling alleys, concerts, fortune tellers, can or knife racks, gift enterprises, museums, menageries, flying jennies, pistol or shooting galleries, ten pin alleys, skating rinks, roller coasters, and other things of like character.(134) It may also impose a license tax on any company, society, or individual engaged in any insurance business that is subject to a state license tax.(135) Since the repeal of the Eighteenth Amendment the police jury has been permitted to impose a license on the sale

130. Const., 1879, art. 242; La. A., 1880, #84; *ibid.*, 1886, #35; Const., 1898, art. 270; La. A., 1898, #202; Const., 1913, art. 270; Const., 1921, art. XIV, sec. 19.
131. Const., 1879, art. 206; La. A., 1881, 2nd E. S., #4; sec. 13; Const., 1898, art. 299; La. A., 1898, #171, sec. 16; *ibid.*, 1910, #154; *ibid.*, 1912, #209; Const., 1913, art. 229; La. A., 1914, #296; *ibid.*, 1916, #145; *ibid.*, 1918, #82; *ibid.*, 1918, E. S., #20; *ibid.*, 1920, #21; Const., 1921, art. X, sec. 8, amended by La. A., 1934, #77.
132. La. A., 1900, #143, secs. 2, #3; *ibid.*, 1910, #198.
133. La. A., 1928, E. S., #15; *ibid.*, 1934, #72; *ibid.*, 1934, 1st E. S., #21; *ibid.*, 1934, 2nd E. S., #31, #32; *ibid.*, 1936, #17, #87.
134. La. A., 1928, #68. In 1932 the imposition of this tax was allowed only in parishes having more than 300,000 population; in 1934, it was allowed in any parish; but since 1936, it has been allowed only in parishes with more than 300,000. La. A., 1932, #128; *ibid.*, 1934, 1st E. S., #16; *ibid.*, 1936, #291; *ibid.*, 1938, #212.
135. La. A., 1932, #7, sec. 11.

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of wines, beer, ale, porter, and other liquors.(136) The last legislature has authorized it to impose a license tax upon itinerant vendors going from house to house or place to place.(137)

The police jury of Jefferson was permitted to borrow a sum, not in excess of \$10,000 as early as 1835. Such loan could be negotiated with private individuals, or incorporated companies, at any time the police jury deemed it advisable, and give mortgage or other security for the payment of the money thus borrowed.(138)

Since 1898 a definite method has been prescribed for incurring debt and issuing bonds. The parish may do so only when authorized by a vote of the majority of the property taxpaying electors in an election held for that purpose. Bonds may be issued for the construction and maintenance of public roads, highways, bridges, waterworks, and other works of public improvement, and for the construction of courthouses, jails, hospitals, and other public buildings, together with the equipment and furnishing therefor. The title of such property must be in the public, and the total issue of bonds in any parish may not exceed 10% of the assessed valuation of property in that parish.(139) The police jury may also fund into bonds, running for not more than two years, and bearing not more than 6% interest, the avails or residue of the general tax, for the purpose of constructing highways or public buildings.(140)

The police jury may assume the debt of a road district, sub-road district, consolidated road district, drainage district, irrigation district, levee district, or school district wholly within the parish, when so authorized by a vote of the majority in number and amount of the taxpayers.(141)

It may anticipate its revenues, and borrow sufficient money for parochial expenses, issuing negotiable certificates of indebtedness therefor. Money so borrowed may not exceed the estimated income of the parish, and the certificates of indebtedness cannot bear more than 8%

136. La. A., 1933, E. S., #2; *ibid.*, 1934, #15; *ibid.*, 1934, 3rd E. S., #1; *ibid.*, 1935, 1st E. S., #3; *ibid.*, 1935, 2nd E. S., #24.
137. La. A., 1938, #150.
138. La. A., 1835, p. 169, sec. 27.
139. Const., 1898, art. 281; La. A., 1899, E. S., #5; *ibid.*, 1900, #114; *ibid.*, 1902, #145; *ibid.*, 1904, #186; *ibid.*, 1906, #95, #122; *ibid.*, 1908, #299, #300; *ibid.*, 1910, #197, #256; *ibid.*, 1912, #218; Const., 1913, art. 281; La. A., 1917, E. S., #30; Const., 1921, art. XIV, sec. 14, clauses (a); (b); La. A., 1921, E. S., #46; *ibid.*, 1924, #11, #200, #218, #238; *ibid.*, 1926, #343; *ibid.*, 1932, #236; *ibid.*, 1938, #392. In 1876 the police jury of Jefferson Parish, right bank was empowered to issue bonds, not exceeding \$20,000 to pay its outstanding debt. La. A., 1876, #59.
140. Const., 1921, art. XIV, sec. 14, clause (e); La. A., 1922, #40; *ibid.*, 1934, #84.
141. Const., 1921, art. XIV, sec. 14, clause (k); La. A., 1924, #171; *ibid.*, 1926, #275; *ibid.*, 1932, #143.

interest, nor mature later than March 1st of the following year.(142) As the governing authority of road and sub-road districts it may also anticipate the revenues to be derived from special taxes for a period of not more than five years, borrow money thereon and issue certificates of indebtedness therefor.(143)

Previously created debts, exclusive of bonded indebtedness, can be retired by dedicating up to two mills of the general revenue tax for a period not exceeding twenty-five years, or certificates of indebtedness bearing not more than 6% interest can be issued for the same period of time.(144)

Since 1934 the police jury (and other political subdivisions created under the laws of the state) has been authorized to borrow money from any governmental agency of the United States.(145) Certain restrictions have recently (1935) been placed on the financial powers of the police jury. It may not incur debt, borrow money, or issue bonds or other evidences of debt, or levy taxes or pledge uncollected taxes or revenues for the payment thereof, or permit works, constructions, or improvements on any property, the title of which is in the public, without the consent of the state bond and tax board.(146) For a short period (1935-36) the police jury was not allowed to expend money derived from the sale or negotiation of bonds or other evidence of indebtedness, or from any loan or grant received from the United States, without the regulation, approval, and supervision of the state advisory board.(147)

The police jury is forbidden to make any appropriation, approve any claim, or make any expenditure for any year, which, separately or together, would be in excess of the estimated revenues for that year.(148) The revenues of each year must be dedicated as follows: 1) all statutory charges must be paid from the funds upon which they are imposed; 2) for the payment of all charges for services rendered annually under time contract; and 3) for all necessary usual charges established by ordinance or resolution. All excess of revenues above statutory, necessary, and usual charges, may be applied to the payment of debts of former years. It may in any year make agreements or contracts, which may run not longer than twenty years, dedicating to specific purposes, in whole or in part, the excess of annual revenues of subsequent years.(149)

Toward the end of the Reconstruction the police jury was authorized to contract with parish officers who received fees, commission, or mileage,

142. La. A., 1924, #52.
143. La. A., 1926, #140; *ibid.*, 1928, #35, #40.
144. La. A., 1928, #87; *ibid.*, 1928, E. S., #18; *ibid.*, 1932, #130; *ibid.*, 1935, 2nd E. S., #13.
145. La. A., 1934, #222.
146. La. A., 1935, 2nd E. S., #6.

147. La. A., 1935, 2nd E. S., #10, repealed by La. A., 1936, #3. It appears that these two boards were acting in somewhat the same capacity.
148. La. A., 1877, E. S., #30, secs. 1, 2; *ibid.*, 1902, #32, sec. 1.
149. La. A., 1902, #32, sec. 2; *ibid.*, 1910, #270.

for a fixed compensation in lieu thereof.(150) Warrants cannot be issued by any officer except against money actually in the treasury.(151)

The police jury is authorized to select a fiscal agency with whom parish funds shall be deposited.(152) Such bank or banks must be chartered under the laws of the state or the United States and domiciled in the state. The police jury must advertise in its official journal inviting banks to bid for the custody of parish funds. The parish is forbidden to award a contract to any bank which fails to give such security as is required by law. Interest paid on parish deposits is calculated on the daily balances as shown by the books of the parish treasurer. The police jury may cancel any fiscal agency contract, if in its judgment the safety of parish deposits is jeopardized. Banks awarded such contracts are required to loan money to the parish when necessary, provided the loan does not exceed 75% of the average amount of deposit.(153)

In 1910 the state supervisor of public accounts was given authority to audit the books and accounts of the police jury. He was, however, not required to make such examination except upon written request of the police jury, and then only if he had the necessary time from his regular duties.(154) Two years later it was made the duty of the supervisor of public accounts to examine the police jury records whenever directed to do so by the governor.(155) Since 1918, the police jury has been obliged to furnish the supervisor of public accounts with a semi-annual sworn statement of all moneys received and expended, together with vouchers and other papers necessary to prove the correctness of the same. At least one of the audits made of police jury accounts in each year must be made in the office of the police jury.(156)

The police jury touches on or has touched on practically every office in the parish. In the early period it appointed the parish assessor,(157) members of the school board,(158) constables,(159) and commissioners of election.(160) The police jury was constituted a board of review of assessments in 1882 and continued as such until 1920 when a parish board of equalization was created to take over these duties. The

150. La. A., 1877, E. S., #30, sec. 4; this section was repealed by La. A., 1902, #32. 1910, #316; *ibid.*, 1912, #205; *ibid.*, 1916, #8, #265; *ibid.*, 1924, #114; *ibid.*, 1926, #64, *ibid.*, 1932, #45; *ibid.*, 1934, #39.
151. La. A., 1877, E. S., #30, sec. 5; *ibid.*, 1902, #32, sec. 5. 154. La. A., 1910, #25, sec. 8.
152. Any member of the police jury who is an officer of any bank must refrain from voting in the selection of a fiscal agency for the parish. 155. La. A., 1912, #77.
153. La. A., 1907, E. S., #23; *ibid.*, 1908, #282; *ibid.*, 1910, #316; *ibid.*, 1912, #205; *ibid.*, 1916, #8, #265; *ibid.*, 1924, #114; *ibid.*, 1926, #64, *ibid.*, 1932, #45; *ibid.*, 1934, #39. 156. La. A., 1918, #109, sec. 4.
154. La. A., 1910, #25, sec. 8.
155. La. A., 1912, #77.
156. La. A., 1918, #109, sec. 4.
157. See essay on Tax Assessor, *infra*.
158. See essay on Parish School Board, *infra*.
159. See essay on Constables, *infra*.
160. See essay on Supervisors of Elections, *infra*.

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police jury appoints two of the three members of this board.(161) It also appoints the registrar of voters.(162)

The police jury has been authorized to appoint a parish treasurer by virtue of an act passed in 1813. His term of office was left to the discretion of the police jury, but since 1898, it has been fixed by the legislature at two years. He is required to furnish bond in such amount, and receives such compensation as may be determined by the police jury. The police jury also appoints its own clerk or secretary. Since 1924 the police jury has been permitted to combine the office of parish treasurer and clerk.(164)

In 1868 the police jury was authorized to appoint a district attorney pro tempore, who was in reality the attorney for the parish. This officer was to be paid a salary of not less than \$100 per annum by the parish, and as much more as the police jury might fix and also a 5% commission on any amount he might recover for the parish in a suit, and a fee of 5% on the amount for defending any suit brought against the parish.(165) This law was repealed in 1874, and the governor authorized to appoint such attorney for the parish, but the payment of his salary and commission remained unchanged.(166)

From an early date the police jury has been required to publish estimates of its expenditures in a newspaper published in the parish, if such paper existed, otherwise by posting notices.(167) An Act of 1894 made it the duty of the police jury to elect annually a parish printer who was an owner or representative of some established newspaper published in the parish and in existence for one year preceding his election. The person so selected was required to designate a parish newspaper as the official journal wherein the official proceedings of the police jury and all notices required by law were to be inserted.(168) This law, however, did not apply to any parish in which no newspaper was published. In 1920 provision was made for such parishes by permitting them to designate a newspaper in an adjoining parish as the official journal.(169) In addition to publishing the proceedings of its meetings, the police jury must publish such financial statements as are furnished to the supervisor of public accounts, and also transmit to him such published statements.(170) A recent law requires that the selection of the parish printer also have the approval of the state printing board.(171)

- 161. See essay on Board of Equalization for detailed treatment of this function, *infra*.
- 162. See essay on Registrar of Voters, *infra*.
- 163. See essay on Parish Treasurer, *infra*.
- 164. La. A., 1924, #122.
- 165. La. A., 1868, #120; Rev. Stat., secs. 1072, 1178, 2761.
- 166. La. A., 1874, #44.
- 167. La. A., 1847, #106, sec. 6; *ibid.*, 1848, #163; Rev. Stat., sec. 2745.
- 168. La. A., 1894, #138; *ibid.*, 1910, #134; *ibid.*, 1912, #141, sec. 22.
- 169. La. A., 1920, #134.
- 170. La. A., 1930, #65.
- 171. La. A., 1935, 2nd E. S., #8 which amends and re-enacts sec. 22 of #141 of 1912.

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Acts antedating the creation of the parish of Jefferson vested in the police jury the authority to establish patrols(172) and "Gendarmerie" to police slaves, which powers were re-affirmed for said parish in 1834.(173) In 1892 the police jury was empowered to appoint and commission officers of the society for the prevention of cruelty to children as special police officers, as well as such other agents as the society may nominate. Such commissioned officers and agents have the power of policemen, but receive no compensation from the police jury.(174) Likewise, officers and agents are appointed where societies for the prevention of cruelty to animals exist.(175) The police jury must provide suitable pounds for dogs seized while running at large.(176)

From 1926 until the law was repealed in 1934, the police jury could permit the sheriff to appoint traffic officers to patrol the roads and highways of the parish.(177) It may equip the sheriff and his deputies with tear gas, tear gas bombs, machine guns, bullet proof vests, and any ammunition necessary to combat gangsters and mob violence.(178)

The police jury has been authorized to regulate taverns, houses of public entertainment, and shops for retailing liquor.(179) In 1852 it was given the exclusive power, outside of towns and cities, to regulate or prohibit the sale of intoxicating liquors, and to grant or withhold licenses from drinking houses or shops if a majority of the voters of any ward or of the parish so decided by ballot.(180) These laws were nullified by the Eighteenth Amendment to the United States Constitution, and also by an act of the state legislature which prohibited the manufacture, sale, transportation, delivery, possession, advertisement, exportation, and importation of intoxicating liquors.(181) Following the passage of the Twenty-first Amendment to the United States Constitution, the state legislature suspended the prohibitory legislation, and provided that the police jury, when petitioned by 25% of the registered voters, submit to the electors a proposition as to whether any local liquor laws should be suspended.(182)

- 172. Or. Terr. A., 1810, XII.
- 173. Or. Terr. A., 1811, La. A., 1834, p. 15, secs. 4, 5, 8; *ibid.*, 1855, #276.
- 174. La. A., 1892, #112.
- 175. La. A., 1888, #19.
- 176. La. A., 1918, #239, sec. 4.
- 177. La. A., 1926, repealed by La. A., 1934, 3rd E. S., #27, sec. 2.
- 178. La. A., 1934, #197.
- 179. La. A., 1813, p. 154, sec. 5; *ibid.*, 1834, p. 15, sec. 2.
- 180. La. A., 1852; #105; *ibid.*, 1855, #126; Rev. Stat., secs. 1211, 2461, 2778; La. A., 1884, #76. The result of an election held under this act (#76 of 1884) for the entire parish is binding on the municipal corporations in the parish, and any provisions in the charters of corporations which conflict with the act are repealed. Garret, Blanks, et al. vs. Mayor et al., La. Annual Reports, vol. 47, p. 618. See also La. A., 1878, #84, which gives the police jury plenary power by ordinance to regulate or prohibit trading in intoxicating liquors on Sundays.
- 181. La. A., 1921, E. S., #39.
- 182. La. A., 1935, 2nd E. S., #22.

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Since 1898, when the office of inspector of weights and measures was abolished in all the parishes except Orleans, the police jury has been empowered to provide for such inspection whenever it is deemed necessary, and to regulate the duties and fees of any officer it may appoint to perform this work.(183)

The police jury has been granted power to conserve wild life and fish. It may adopt such regulations and ordinances as are necessary to prevent and punish trespass committed by hunters,(184) and to preserve wild game and fish.(185) Where oyster beds are situated it is required to enact ordinances for the further regulation of such fisheries, beside state regulation, and to appoint an oyster inspector for the enforcement of state and parish laws.(186) It may enact laws to prohibit the killing of alligators.(187) Recently the police jury has been authorized to establish and maintain game and fish preserves, to dam non-navigable streams, to dredge, excavate or do other work necessary therefor, to expropriate property, appropriate money, and vote special taxes for such purposes. When such preserve are established, the police jury appoints three commissioners to supervise and govern the preserves, with authority to make rules and regulations for their maintenance.(188)

The police jury is empowered to pass regulations for the police and government of jails,(189) and to fix, by ordinance, the sheriff's fees for keeping and maintaining prisoners.(190) In 1841 the police jury of Jefferson Parish was authorized to establish a workhouse and house of

- 183. La. A., 1898, #20.
- 184. La. A., 1825, p. 62; Rev. Stat., sec. 2743; La. A., 1898, #115; *ibid.*, 1902, #202.
- 185. La. A., 1896, #60. Since 1912 the police jury has been empowered to prohibit the killing of game birds and game for three years, provided it receives the consent of the department of conservation; La. A., 1912, #239; *ibid.*, 1914, #135; *ibid.*, 1924, #100. These acts were repealed by La. A., 1926, #273, art. V, sec. 1. It provided that the police jury could apply to the conservation commission for the right to pass an ordinance to curtail the open season for game. La. A., 1926, #273, art. I, sec. 15.
- 186. La. A., 1896, #121, secs. 13, 14.
- 187. La. A., 1908, #37.
- 188. La. A., 1926, #259.
- 189. La. A., 1816, p. 24, sec. 1; Rev. Stat., secs. 2789, 2834.
- 190. La. A., 1877, E. S., #73; *ibid.*, 1920, #208, sec. 1; *ibid.*, 1926, #336. In 1846 the legislature provided that the sheriff's fees and expenses for keeping prisoners were to be paid by the corporation, i. e., the police jury, city of Lafayette, and town of Carrollton, which issued the warrant for the arrest of the prisoner, La. A., 1846, #126 sec. 5. In 1850 this law was amended so that expenses of maintaining prisoners arrested on warrants issued by Lafayette and Carrollton were to be paid by the State in cases prosecuted under state criminal law, La. A., 1850, #147.

refuge, and enact the requisite ordinances for its government.(191) The police jury appointed a physician to attend sick prisoners, and fixed his salary, except during the period 1856-1884 when the parish committee was vested with this authority.(192) Now the coroner, as ex officio parish physician, is required to attend prisoners, for which he receives compensation from the police jury.(193) Two or more parishes of a judicial district may by joint resolution of the respective police juries, create a prison district farm. They may also arrange for the transfer of prisoners from one parish to another for the purpose of performing any work that may legally be required of them.(194)

All expenses incurred by the arrest, confinement, and the prosecution of persons accused of crime, their removal to prison, the pay of witnesses, jurors, and all expenses whatever attending criminal prosecutions are paid by the parish.(195) The police jury may pass ordinances for the discipline, working, and employment of parish prisoners who may be required to work out their sentences on public works, or it may hire or lease the services of such prisoners to any person for the purpose of working them.(196)

Legislative interest in caring for the poor was evinced as early as 1852, when the police jury was empowered to enact measures to provide for the poor.(197) The Constitution of 1868 stipulated that "it shall be the duty of the general assembly to make it obligatory upon each parish to support all the paupers residing within its limits."(198) No such legislation was passed, however, until after the Constitution of 1879 was adopted.(199) The following year it was made mandatory on the police jury to provide for the support of all infirm, sick, and disabled paupers (except those in municipal corporations), who were exempt or partially exempt from parish taxation. The pauper fund appropriated had to be included in the parish budget.(200) Subsequent legislation has empowered the police jury to pay the burial expenses of paupers carried on the parochial

- 191. La. A., 1841, #55; *ibid.*, 1850, #56.
- 192. La. A., 1817, p. 206, sec. 4; *ibid.*, 1852, #273, sec. 1; *ibid.*, 1856, #138, sec. 3; Rev. Stat., secs. 2790, 2835.
- 193. La. A., 1926, #241, sec. 7.
- 194. La. A., 1926, #200, #203; *ibid.*, 1928, #109. When such prison district farms are set up, they are constituted political corporations governed by a board of governors composed of not more than two members from each of the police juries of the parishes within the district. One of the members must be a president of a police jury. The clerk and the treasurer of the parish in which the farm is domiciled act in like capacities for the governing board.
- 195. La. A., 1855, #121, sec. 68; *ibid.*, 1859, #22; Rev. Stat., secs. 1042, 2770; La. A., 1884, #16.
- 196. La. A., 1838, #121; *ibid.*, 1894, #29; *ibid.*, 1902, #46; *ibid.*, 1904, #191; *ibid.*, 1908, #204.
- 197. La. A., 1852, #238; Rev. Stat., sec. 2743.
- 198. Const., 1868, art. 126.
- 199. Const., 1879, art. 163.
- 200. La. A., 1880, #42.

(First entry, p. 73)

pauper list;(201) to contract with legally authorized children's found-ling societies for the care of delinquent, neglected, or abandoned children;(202) to appropriate a sum not exceeding \$300 annually for each needy blind person in the parish;(203) to provide for persons over fifty years of age who are deformed or crippled from birth and in necessitous circumstances;(204) for needy war veterans and their beneficiaries;(205) for the treatment of tuberculosis;(206) for needy students;(207) and for mothers having dependent children.(208) It may utilize any charitable institutions within its corporate limits for the care, maintenance, and asylum of destitute persons.(209)

The police jury has been authorized to appropriate annually from its parish funds certain sums (\$300 by an act of 1912, and \$1,000 since 1926) in aid of charity hospitals or similar institutions, when such institutions are freely used, without cost, by the indigent sick or wounded residents of the parish.(210)

In 1934, the police jury was authorized to levy and collect a tax of one cent per gallon on all gasoline or other motor fuel sold in the parish, and if it so desired it could deposit the proceeds of the tax in the state treasury to be withdrawn by the Emergency Relief Administration for the relief of the unemployed or unemployables, or in mother's aid cases in the parish where collected. This law was repealed in 1936 and in lieu thereof a two cent state gasoline tax was levied, the proceeds of which are apportioned to each parish in the proportion that the collection of the parish gasoline tax bears to the total parish gasoline tax collected in the state for the preceding calendar year. These taxes are used in carrying out the social service and welfare activities of the parish.(211) The recent legislature provided that one half of the proceeds of this tax be allotted to the state department of public welfare, and one half to the parishes in the same proportion mentioned above.(212) Since the establishment of the state and parish departments of public welfare in 1936, all parish social service and welfare activities have been placed under their supervision.(213)

In 1867 the police jury was given the right to send to the State

- 201. La. A., 1908, #250.
- 202. La. A., 1926 #128.
- 203. La. A., 1928, #101.
- 204. La. A., 1932, #52.
- 205. La. A., 1932, #182.
- 206. La. A., 1930, #60.
- 207. La. A., 1932, #196.
- 208. La. A., 1920, #209;
ibid., 1928, #228;
ibid., 1930, #46.
- 209. Const., 1921, art. IV,
sec. 12; La. A., 1930,
E. S., #5.
- 210. La. A., 1912, #181; *ibid.*,
1926, #211. In 1894, when
- the Eye, Ear, Nose and
Throat Hospital of New Or-
leans was organized, the
police juries were requested
to render assistance to this
hospital; La. A., 1894,
#42.
- 211. La. A., 1934, 1st E. S.,
#21; *ibid.*, 1934, 2nd E. S.,
#32; *ibid.*, 1936, #37.
- 212. La. A., 1938, #19.
- 213. See essay on Parish Depart-
ment of Public Welfare,
infra.

Seminary of Learning and Military Academy(214) a number of beneficiary cadets corresponding to the number of representatives to which the parish was entitled. Such cadets had to have the qualifications and be of such age as prescribed by the supervisors of the seminary. The state appropriated \$400 annually for two years to the seminary to maintain each student so chosen.(215) In 1870 the number of cadets that could be selected from each parish was limited to two, and the state appropriated \$350 annually for two years to maintain each.(216)

In 1886 the police jury was granted the privilege of selecting one beneficiary cadet to the Louisiana State University and Agricultural and Mechanical College, and of appropriating a sum not exceeding \$250 per annum (increased to \$350 in 1928) for his maintenance.(217) In 1902 a like privilege and appropriation (\$250) was extended to one female student who could be sent to the Louisiana Industrial Institute at Ruston, the South-West Louisiana Industrial Institute at Lafayette, or the State Normal School at Natchitoches.(218) In 1922 the police jury was empowered to defray the living expenses of resident male and female high school graduates who would pursue the study of agriculture at the Louisiana State University and Agricultural and Mechanical College at Baton Rouge, until they graduated. Not more than one from the ward or more than three from the parish at large can be thus selected.(219) All beneficiary cadets are selected after a competitive examination, and since 1932 a preferential rating of 20% is given to children of World War veterans.(220)

The police jury, as early as 1835, was authorized to enact quarantine ordinances and regulations, not inconsistent with the constitution and laws of the United States nor those of the state, to

- 214. The State Seminary of Learning and Military Academy near Alexandria, and the Agricultural and Mechanical College established in the parish of St. Bernard in 1874, were merged, in 1876, under the name of the Louisiana State University and Agricultural and Mechanical College, and located at Baton Rouge. La. A., 1876, #145.
- 215. The selection of beneficiary cadets was made from among those who did not have the means to pay their expenses, or whose parents did not have the means. Such cadets were required, at the close of their term, to pursue the profession of teaching school in the state for two years and to report said fact to the superintendent of the institution. La. A., 1867, #131, Rev. Stat., sec. 1338, 2781.
- 216. La. A., 1870, E. S., #47. Any cadet thus aided who failed to teach school as required was deemed guilty of a misdemeanor and punished as a defaulter to the state in the sum which the state had appropriated for his benefit.
- 217. La. A., 1886, #100; *ibid.*, 1928, #120.
- 218. La. A., 1902, #158.
- 219. La. A., 1922, #30.
- 220. La. A., 1932, #196-198.

protect the inhabitants against the introduction of contagious or epidemical diseases.(221) It was not until 1882, however, that the police jury as well as municipal authorities were authorized to constitute themselves into a board of health.(222) Since 1898, a separate parish health board has been provided for, whose members are selected by the police jury.(223)

The police jury is authorized to appropriate from the parish funds certain limited amounts in aid of farmers' co-operative demonstration work.(224) It may also acquire the ownership of land, establish parish experimental farms,(225) appropriate money for agricultural experiment and research stations maintained by the Federal Government within the state, and donate property to the United States for agricultural purposes.(226)

The regulation of livestock and of the form and height of fences was vested in the police jury as one of its first powers.(227) Subsequently it has been authorized to pass ordinances relative to the marking, sale, and destruction of cattle, horses and mules.(228) The Constitution of 1879 gave the parochial and municipal authorities the power of regulating the slaughter of cattle and other livestock within their respective limits, provided that no monopoly was granted to an individual or corporation. Ordinances designating the places of slaughter had to have the approval of the board of health or other sanitary organization.(229) It may pass ordinances to protect sheep from the ravages of dogs.(230) It may organize and act as a livestock sanitary commission with authority to enact and enforce ordinances and regulations for the suppression of contagious and infectious diseases affecting livestock. If necessary it may employ a veterinary to co-operate with it in the determination of diseases affecting livestock.(231) In 1916

- 221. La. A., 1835, p. 161, sec. 5, Rev. Stat., sec. 2743. Although quarantine measures were authorized in 1835, it was not until 1877 that sanitary methods for the disposition of offal, garbage, night soil, dead animals and droppings of slaughterhouses were provided for the parishes of Jefferson, Orleans, and St. Bernard. La. A., 1877, E. S., #14; ibid., 1882, #40.
- 222. La. A., 1882, #92, sec. 3.
- 223. See essay on Board of Health and Health Unit for a full treatment of this function, infra.
- 224. La. A., 1912, #69; ibid., 1922, #15; ibid., 1924, #226.
- 225. The police jury may employ parish prisoners in working such farms. La. A., 1912, #145.
- 226. La. A., 1928, #36.
- 227. Or. Terr. A., 1807, XVIII, sec. 2; La. A., 1834, p. 15, sec. 4.
- 228. La. A., 1825, p. 62, sec. 3; Rev. Stat., sec. 2743; La. A., 1898, #115; ibid., 1902, #202.
- 229. Const., 1879, art. 248. This provision was also incorporated in the Constitution of 1898, art. 276, and the Constitution of 1913, art. 276.
- 230. La. A., 1886, #111; ibid., 1900, #143, sec. 1.
- 231. La. A., 1894, #147.

the police jury was obliged to provide for tick eradication, (such work to commence not later than April 1, 1918) and for the pay of the necessary number of local agents or inspectors to assist in this work.(232) Recently the police jury has been authorized to pass ordinances for the protection of owners of livestock in improving their breeds. Such ordinances may require castration, impounding, or keeping in enclosures certain breeds.(233)

Since 1882 the police jury has been authorized to contract with the lowest bidder for the purpose of making or renewing indexes or books of record in the parish archives, whenever the condition of the old ones may require it.(234) In case the archives of the clerk of court and ex officio recorder are destroyed by fire, the police jury may purchase abstracts, photographs, or rectigraphs, or true copies of them from private individuals.(235)

Previous to the adoption of the Constitution of 1879, the power of changing boundary lines of parishes was vested in the police jury. Whenever it wished to establish its boundary line with an adjoining parish, it passed an ordinance to this effect, designating the time and place of beginning the survey, and served the president of the police jury of the parish involved with a copy of such ordinance. Notice had to be given six months previous to the date set for the beginning of the survey. When the survey was completed, the returns were required to be sent to both police jury presidents, who caused them to be filed in the office of the recorder.(236)

The Constitution of 1879 (art. 250) required that all laws changing parish lines or removing parish seats, before taking effect, be submitted to the voters of the parishes to be affected, at a special election held for that purpose. If a majority voted in favor thereof, then the changes could be made. The following year the legislature enacted a measure prescribing the manner of changing parish lines and removing parish seats,(237) but this act was declared unconstitutional because it embraced "two objects, distinct and separate, and not cognate".(238)

- 232. The agents or inspectors selected by the parish authorities had to have the approval of the Federal veterinary in charge, and be commissioned by the Louisiana State Live Stock Sanitary Board, or its executive officer. The number of local inspectors to be employed was decided by the Federal and state authorities. La. A., 1916, #127; ibid., 1917, E. S., #25; ibid., 1930, #6.
- 233. La. A., 1934, #218.
- 234. La. A., 1882, #90.
- 235. La. A., 1910, #233.
- 236. La. A., 1835, p. 144; ibid., 1855, #40; Rev. Stat., secs. 2624, 2625, 2770, 2771.
- 237. La. A., 1880, #31.
- 238. La. Annual Reports, Vol. XXXII, p. 1013 (1880). Art 29 of the Constitution of 1879 declared - "every law enacted by the General Assembly shall embrace but one object, and that it be expressed in the title."

Provisions similar to those embraced in the Constitution of 1879, have been incorporated in subsequent constitutions.(239) The method of changing boundary lines between parishes, now in force, was defined in an act of 1928, which provides that whenever the police jury of any parish passes an ordinance for the purpose of changing a boundary line or lines between it and any adjoining parish, it shall serve the police jury president of the adjoining parish with a copy of its ordinance. If the police jury of the other parish concurs in the object, then both police juries pass ordinances for calling special elections to vote on the subject. A two thirds vote in each parish is necessary to change the boundary lines.(240)

The police jury has been authorized to procure, from the original records of the United States government surveys, a correct map of each township or part thereof composing the parish, with approved field notes to the same. Such map and field notes, when obtained, must be bound and filed with the recorder.(241) It has been empowered to re-survey and re-establish township lines, range lines, section corners, and half-mile stations, where the original witness trees have been destroyed or lost, or where such lines were never actually established, and appropriate money out of the general fund to defray the expenses thereof.(242)

In 1932, the police jury was authorized to enter into contracts for an aerial survey and mosaic map, drawn to scale, showing the range and township references, township and section lines, and other general information incidental thereto.(243)

At the beginning of the twentieth century an effort was made to encourage immigration to the various parishes of the state. Therefore, whenever the police jury appropriated any sum for advertising and encouraging immigration, the commissioner of agriculture and immigration, provided he approved the plans submitted by the police jury, was authorized to draw his warrant for an equal amount, not to exceed \$500 annually, in favor of the president of the police jury.(244)

In the last decade the police jury has been permitted to advertise its resources and other advantages by publication and radio. In Jefferson Parish, with a population of less than 50,000 the police jury may spend up to \$2,500 annually for such purposes.(245)

The records of the police jury are located in the vault in the office of the secretary of the police jury unless otherwise stated.

239. Const., 1898, art. 278;	241. La. A., 1871, #42.
Const., 1913, art. 278;	242. La. A., 1912, #182.
Const., 1921, art. XIV,	243. La. A., 1932, #201, sec. 1.
sec. 2.	244. La. A., 1904, #150.
240. La. A., 1928, #38.	245. La. A., 1928, E. S., #8.

Proceedings*

1. MINUTE BOOK, POLICE JURY [Jefferson Parish],

Jan. 13, 1834-May 22, 1843; Sept. 3, 1884--. 10 vols. Record of proceedings of the police jury at regular and special meetings; giving place and date of meeting, names of members present and absent, and action taken by the body at each session. Included in this record are details of requests from citizens for civic improvements and the abatement of fire hazards and public nuisances; petitions requesting permission to erect industrial plants and sign-boards, and to operate transportation facilities; reports from the parish treasurer, sheriff and tax-collector, parish engineer, state and federal agencies, and committee appointed to handle special business of the parish; instructions to the secretary to advertise for bids, to look into assessment matter, and to request opinions on parish matters from the district attorney; resolutions pertaining to loans, bond issues, parish budgets and expenditures; motions authorizing parish treasurer to divert funds, approving subdivision plans presented by realtors, opposing increases in insurance ratings and pro-rating policies between agents residing in the parish, donating expropriated lands to the United States for waterways construction, providing for the care of neglected and abandoned children, granting pensions to destitute widows, and calling for investigation of complaints lodged with the jury; ordinances relative to roads, bridges, and improvements; appointments of commissioners for various drainage districts, and members to various committees; and bids received and accepted, permits granted, and requests refused by the jury. The minutes of each meeting are signed by the president and secretary of the police jury. Arr. chron. by date of meeting. Hdw. 1834-1912; typed 1912--. Aver. 400 pp. 19 x 12 x 2.

2. POLICE JURY [Minute] INDEX, Jan. 13, 1834-May 22, 1843; Jan. 4, 1905--. 7 vols. (1, 8-13).

Alphabetical cross index to Minute Book, Police Jury, entry 1, by first letter of name of topic, person and office, chronologically thereunder, giving date of meeting and book and page number of record. Hdw. Aver. 100 pp. 14 x 9 x 1.

3. MINUTE BOOK, POLICE JURY [Right Bank], June 28, 1858-Aug. 19, 1884. 3 vols. (3, 3A, 4). Discontinued; in 1884 the separate police juries were abolished and one jury chosen for the whole parish.

Record of proceedings at regular and special meetings of the separate police jury which functioned, during this period, as the governing

*The records described in entries 1, and 3 have been transcribed by the Historical Records Survey. The Police Jury of Jefferson Parish has voted funds for the mimeographed duplication of the series. The first volume was pub-

lished in June 1939 under the title: Transcriptions of Parish Records of Louisiana, No. 26, Jefferson Parish (Gretna), Series I. Police Jury Minutes, vol. I, 1834-1843.

Police Jury - Ordinances; Correspondence and Reports

authority for that portion of Jefferson Parish which is situated on the right bank of the Mississippi River. For description of information contained in this record see Minute Book, Police Jury [Jefferson Parish], entry 1. Arr. chron. by date of meeting. Hdw. Aver. 400 pp. 19 x 12 x 2.

Ordinances

- 4. REVISED ORDINANCES, POLICE JURY, PARISH OF JEFFERSON, 1858. 1 vol. (976.3 (352.2) J45 1858).

Revised compilation of the ordinances and the rules of order of the Jefferson Parish police jury, containing also copies of the state laws affecting the police jury, its officers, and committees. Published by authority at the office of the Jefferson Journal, City of Jefferson, Jefferson Parish, 1858. Ordinances arr. numer. by article numbers. Indexed alph. by topics. Printed. 118 pp. 8 1/2 x 5 1/2 x 1/2. Howard Memorial Library, New Orleans.

- 5. REVISED ORDINANCES AND RULES OF ORDER, THE POLICE JURY OF THE PARISH OF JEFFERSON, LEFT BANK, 1867. 1 vol. (976.3 (352.2) J45 1867).

Revised compilation of the ordinances and rules of order of the police jury for that portion of Jefferson Parish on the Left Bank of the River, to which is added the state laws affecting the police jury, its officers, and committees, as well as ordinances of the police jury affecting public schools. Published by authority at the office of the Carrollton Times, City of Carrollton, Jefferson Parish, 1867. Ordinances arr. alph. by topics. No index. Printed. 44 pp. 9 1/4 x 6 x 1/4. Howard Memorial Library, New Orleans.

- 6. ORDINANCES AND RULES OF ORDER OF THE POLICE JURY OF JEFFERSON, RIGHT BANK, 1870. 1 vol. (976.3 (352.2) J45 1870)

Ordinances and rules of order of the police jury for that portion of Jefferson Parish situated on the Right Bank of the Mississippi River, containing also the state laws affecting police juries. Published by authority at the Times office, P. Souliar, printer, City of Carrollton, Jefferson Parish, 1870. Ordinances arr. numer. by article numbers. Indexed alph. by topics. 37 pp. 9 x 6 x 1/4. Howard Memorial Library, New Orleans.

Correspondence and Reports

- 7. COMMUNICATIONS, 1931--. 3 steel file boxes.

General correspondence of police jury including reports, statements and letters relating to business handled by this body and committees. Arr. alph. by topics. No index. Hdw. and typed. 11 x 13 x 26.

- 8. PLUMBING INSPECTION BOARD, Sept. 1938--. 1 steel file drawer.

Records of the parish board established by police jury, which supervises

Police Jury - Grand Isle Navigation District

all plumbing work done in Jefferson Parish; included are original bonds posted by plumbers, applications for plumbers' licenses, and list of licenses issued. This information was obtained from an official. Arr. chron. by date of documents. No index. Hdw. and typed on printed forms. Approx. 50 documents. 12 x 18 x 26. Parish Treasurer's office, 2nd floor.

- 9. [DIARY OF THE COMMISSARY OF THE TOWN OF CARROLLTON], 1852-74, 1 vol.

Daily record of activities of the Commissary supervising the Town of Carrollton, detailing work done on bridges, ditches, wharves and levees, revenues derived from public markets, and disbursements for material used in road and street maintenance. Arr. chron. by date of entry. No index. Hdw. Aver. 200 pp. 15 x 10 x 1. Clerk's vault, 2nd floor.

Grand Isle Navigation District

- 10. MINUTES, GRAND ISLE NAVIGATION DISTRICT OF JEFFERSON PARISH, Mar. 9, 1918-Dec. 9, 1927. 1 vol.

Record of proceedings at regular and special meetings of the Board of Commissioners for the Grand Isle Navigation District, giving date and place of meeting, and names of members present and absent; details of motions, resolutions and ordinances pertaining to bond issues, special tax levies, bond subscription lists, election notices and the promulgation of returns, expropriation of land for roads and canals, and appointments of members to work as inspection committees. Pasted into this volume are copies of the acts creating the commission and effecting its liquidation, commissions issued to members, oaths of commissioners, samples of bonds and coupons issued, samples of election ballots used, copies of bids, and drawings of the canal. Arr. chron. by dates of meetings. No index. Hdw. and typed. Approx. 150 pp. 16 x 10 x 1. Police Jury locker, basement.

- 11. LEDGER [Bond Record], Dec. 14, 1918-Dec. 31, 1925. 1 vol.

Record of bond sales, bond and coupon redemptions, and expenses incurred in handling bond issue, giving name of person making purchase or redemption, nature of expense incurred, serial numbers of bonds, and amounts debited or credited to fund. Arr. chron. by date of entry. No index. Hdw. Binding poor. Approx. 135 pp. 10 x 5 x 1. Police Jury locker, basement.

- 12. CASH BOOK [Grand Isle Navigation District], Nov. 28, 1918-Dec. 31, 1926. 1 vol.

Record of disbursement of funds belonging to this district for such items as labor and supervision, materials, bond and coupon redemption, printing costs, assessor's allowances, cost of plans, and salaries paid to secretary, treasurer and other members of the Commission, giving date and amount of disbursement, and nature of expense item. This record was balanced quarterly, and the amount of funds on hand are given each time. Arr. chron. by date of entry. No index. Hdw. Approx. 152 pp. 10 x 5 x 1. Police Jury locker, basement.

13. RECORD [Of Progress of Work] Mar. 27, 1920-May 15, 1920.
1 vol.

Daily progress reports made to the Commission by engineer in charge of work on Grand Isle Navigation Canal, giving station numbers, type of work underway, condition of weather, number of men working, time lost on account of break-downs or necessary repairs, and canal depth soundings. Arr. chron. by date of report. No index. Hdw. Approx. 200 pp. 10 x 5 x 1. Police Jury locker, basement.

14. MAP SHOWING LOCATION OF PROPOSED NAVIGATION CANAL AND ROAD ON GRAND ISLE, LA. FOR THE GRAND ISLE NAVIGATION DIST[RICT], March 14, 1919. 1 map.

Map, showing proposed course of canal, location and numbers of construction stations, base line of canal, levee, adjacent ditches, property lines, wooded lands, marsh lands, bays and Bayou Rigaud. Artist, William R. Burk. Blueprint. Scale 1" equals 150'. 21 x 105. Police Jury locker, basement.

15. PROFILE AND CROSS SECTIONS OF MAIN AND OUTLET NAVIGATION CANAL AND ROAD ON GRAND ISLE, LA. FOR THE GRAND ISLE NAVIGATION DIST., April 24, 1919. 1 map.

Profile and cross section map, showing section of outlet canal, culverts, top of levee, top of roadway, bottom of canal, section of main canal, base line, elevations, grade line, slope, toe of slope, and profile of finished canal. Artist, William R. Burke. Blueprint. Scale not given. 20" x 18'. Police Jury locker, basement.

Maps and Plans

16. BLUE PRINTS INDEX, 1884--. 1 vol.

Alphabetical index to maps and plans, entries 17 thru 160, by first letter in title, chronologically by order of entry thereunder, giving file number of map. Hdw. 52 pp. 12 x 8 x 1.

Public Buildings

17. PLAN OF GRETNA COURTHOUSE, GRETNA, LA., April 8, 1925,
6 plans.

Plans for roof and lower floor of courthouse, showing on roof plan slate and copper sections of roof, line of slate, present copper line and valley, and wall lines; on lower floor plan, arrangement of hall, police jury room and vault, assessor's office and vault, sheriff's offices and vault, clerk of court's office and vault, lavatories, and building entrances. Artist, H. L. Zander, architect. Blueprint, Scale $\frac{1}{2}$ " equals 1'. 19 x 33.

18. PLAN OF GRETNA COURTHOUSE, April 8, 1925. 3 plans.

Floor plans of courthouse, showing courtroom, offices, vaults, halls, stairways, lavatories, balcony, and lighting system. Artist, H. L. Zander. Blueprint. Scale $1\frac{1}{2}$ " equals 1'. 19 x 32.

19. GRETNA COURTHOUSE SPECIAL PLAN, SHERIFF'S OFFICE. Title varies: Gretna Courthouse, Sheriff's Office; Jefferson Courthouse Plan Sheriff's Office, Sept. 17, 1925. 4 plans.

Plans in quadruplicate, showing location of partition wall to be removed for I-beams in the tax collector's department of the sheriff's office, area to be added to tax office, and specifications for beams, plate, wall and concrete work. Artist, H. L. Zander, Parish Engineer. Published at Gretna, La. Blueprints. Scale $\frac{1}{4}$ " equals 1'. 12 x 20.

20. FOUNDATION PLAN FOR RESIDENCE AT THE PARISH JAIL, June 18, 1919. 5 plans.

Plans for foundation for jailer's residence at Gretna, La., showing floor lay-out, roof, front and street-side elevations. Artist, L. H. Zander, Parish Engineer. Blueprint. Scale $\frac{3}{4}$ " equals 1'. 11 x 18.

21. JAIL AND [JAILER'S] RESIDENCE FOR JEFFERSON PARISH, Mar. 28, 1923. 7 plans.

Set of plans consisting of front elevation sheet, side elevation sheet, foundation layout, and plans for first, second, third floors and roof, showing location of jailer's living quarters, white and negro cells, hospitals, baths and toilets, halls and stairway and gallows trap. Artist, H. L. Zander, Parish Engineer. Published at Gretna, La. Blueprint. Scale $\frac{3}{8}$ " equals 1'. 22 x 30.

22. SAFE, POLICE JURY JEFFERSON PARISH, June 22, 1918. 1 plan.
Plan of standard safe, showing front view with location of files and drawers, and giving clear inside dimensions. Name of artist not given. Publisher, General Fireproofing Co., Youngstown, Ohio. Blueprint. Scale 1" equals 1'. 8 x 11.

Political

23. MAP OF GRETNA [And Map Of The City of Kenner], 1897, 2 maps.
Duplicate maps of Gretna, showing city proper, and suburbs McDonoghville, Brooklyn, New Gretna, Village of Mechanicham and New Mechanicham, squares and square numbers, streets and avenues, railroad tracks and canals in area, Mississippi River and ferry landings, and Orleans-Jefferson parish line; city of Kenner, showing blocks, streets and avenues, main thoroughfare, New Orleans, Jackson and Great Northern railroad tracks and Mississippi River. Artist, H. L. Zander, Parish Surveyor. Blueprint. Scale 1" equals 600'. 22 x 56.

24. MAP OF NEW ORLEANS AND VICINITY, May 10, 1917. 1 map.
Map showing Orleans, Jefferson and portions of St. Bernard and St. Charles Parishes, Orleans-St. Bernard Parish line, St. Charles-Jefferson Parish line, Lake Pontchartrain, Mississippi River, docks, ferries, proposed bridge over the Mississippi River; squares, lots, industrial and residential sections, parks, avenues, highways, and railroad tracks in section, and United States Naval Reservation in Algiers. Artist, S. P. Lafaye. Publisher, S. P. Lafaye. Published at New Orleans, La. Blueprint. Scale 4" equals 1 mi. 77 x 39.

25. SKETCH SHOWING BOUNDARIES OF FIRST, SECOND AND THIRD PRECINCTS OF EIGHTH WARD, JEFFERSON PARISH, Nov. 23, 1927. 1 sketch.

Sketch, showing boundaries of first precinct as Illinois Central and Yazoo and Mississippi Valley Railroad tracks on the south, Cypress Street in Metairieville on the north, Orleans-Jefferson Parish line on the east, and Old Homestead property line on the west, second precinct as Cypress Street, Metairieville on the south, Lake Pontchartrain on the north, Orleans-Jefferson Parish line on the east, and Harahan City line on the west, and third precinct as Illinois Central and Yazoo and Mississippi Valley railroad tracks on the south, southern boundary of second precinct on the north, Bonnabel Place line on the east and La-Frenier Plantation - Harahan City line on the west. Artist, J. H. Payne, Parish Engineer. Blueprint. Scale not given. 17 x 25.

26. PLAN OF THE CARTER PLANTATION, PROPERTY OF MR. MEHNERT, PARISH OF JEFFERSON, Nov. 1, 1884. 1 map.

Map of tract formerly known as the Carter Plantation, comprising portions of the 4th and 6th wards of Jefferson Parish, west of the Mississippi River, showing numbers of sections, townships and ranges in which tract is situated, ward lines, areas of lands owned by Jefferson Land Company, Osburn Place, Millaudon Tract, open lands, wood lands and prairies, Mississippi River, Lake Salvador, Bayou des Familles, Grand Bayou Barataria, Bayou Coquilles, and Bayou Ouatcha. Attached is a typewritten legal description of property owned by Jefferson Land Company. Artist, Benjamin McLaren, Surveyor. Blueprint. Scale not given. 24 x 40.

27. 7TH WARD, 8TH WARD, JEFFERSON PARISH RACE TRACK, n. d. 1 map.

Map showing boundaries of 8th ward, portions of seventh ward, blocks, streets, railroad tracks, Metairie Road, Jefferson Highway, State Rifle Range and Jefferson Parish Fair Association Race Track. Name of artist not given. Black and white print. Scale not given. 11 x 12.

28. STATE OF LOUISIANA, OIL AND GAS FIELDS OF LA., March 1928 1 map.

United States Geological Survey map of Louisiana, on which is superimposed, by Minerals Department, Louisiana Department of Conservation, the oil and gas fields in the state; showing boundaries of state, coast line, Gulf of Mexico, rivers and inland waterways, parishes, county seats, cities, villages, railroads, location of gas and oil lands, and names of fields. Name of artist not given. Publisher, Department of Interior. Published at Washington, D. C. Scale 3/4" equals 10 mi. 21 x 22.

Roads

29. MAP SHOWING SYSTEM OF PROPOSED STATE HIGHWAYS OF LOUISIANA, Nov. 27, 1912. 4 maps.

Road map showing trunk and branch highways, parish boundaries, cities and towns, rivers, lakes, bays, passes, bayous, marshlands, state boundaries, coastline and Gulf of Mexico. Also profile and plan for Fourth Street Public Road, Road District Number Two Jefferson Parish, from Harvey Canal to Barataria Road; showing lines of road, culverts, Harvey Canal bridges, adjacent railroad tracks and switches, property lines, streets, avenues,

car line ponds, surface drainage, and pipe line grades. Artist, W. E. Atkinson, State Highway Engineer, and H. L. Zander, Parish Engineer. Blueprint. Scale La. map 1-1/8" equals 10 mi. Size varies; 39 x 33 to 11 x 107.

30. STATE HIGHWAY MAP OF LOUISIANA, Sept. 1, 1916. 1 map.

Map showing system of proposed state highways of Louisiana as adopted by the Highway Department, Board of State Engineers, with highways constructed and under construction; also those surveyed and applied for, and local highways under parish supervision. Boundaries of state are shown, also coastline, parishes and parish seats, cities, towns and villages, lakes, rivers, bays, marshlands, islands, Gulf of Mexico, passes and railroad tracks. Artist, Albert G. Sandoz. Publisher, W. E. Atkinson, State Highway Eng'r. Blueprint. Scale 1-3/4" equals 10 mi. 50 x 47.

31. ROAD MAP, JEFFERSON PARISH [and Special Map for Portion of Parish]. Feb. 1, 1922. 8 maps.

Official map of Jefferson Parish, in triplicate, published for Highway Department of Louisiana, showing public roads in the 1st, 2nd, and 3rd Good Road Districts, also the City of Gretna highway junctions to the City of New Orleans and north to St. Charles Parish; also showing Jefferson-St. Charles Parish Line, Orleans-Jefferson Parish Line, numbers of townships and ranges in area, villages, canals and bayous, Mississippi River and ferry landings, railroad tracks, and adjacent section of Orleans Parish. Also, official special map, in triplicate, showing that part of Jefferson Parish which is outside of any Road District, and roads built in this area by the state. Artist, H. L. Zander, Parish Engineer. Blueprints. Scale 1" equals 1 mi. Size varies; 8 x 11 and 15 x 35.

32. JEFFERSON PARISH ROAD DISTRICT NO. 1 - PLAN AND PROFILE OF SURVEY, METAIRIE RIDGE - SHREWSBURY ROAD, n. d. 13 sheets.

Plans in triplicate, consisting of title page and layout map showing route of proposed road from Orleans-Kenner Electric Railway tracks in Shrewsbury to Seventeenth Street canal bridge at Orleans-Jefferson Parish line, and railroad tracks in area traversed; additional sheets showing beginning, ending, and five intermediate sections of the proposed road; typical sections of various paving materials and bases to be used, and plan for box culvert. Artist, Frank T. Payne, C. E. Published at New Orleans, La. Blueprints. Scale 1" equals 100'. 22 x 35.

33. MAP OF THE 1ST AND 2ND GOOD ROAD DISTRICT, Dec. 2, 1913. 3 maps.

Maps showing river front public road, 100' new highway from Jefferson-St. Charles Parish line to Orleans-Jefferson Parish line, 120' Shrewsbury road, 180' Harlem Road, 30' Labarre Road, 50' Metairie Ridge Road, and road to Lake Pontchartrain along Protection Levee, in 1st Good Road District, east of the Mississippi River in Jefferson Parish, also showing railroad tracks, yards and junctions and drainage canals in section; river front public road from Jefferson-St. Charles Parish line to Orleans-Jefferson Parish line, new 50' cut off road, new 80'

highway from Barataria Boulevard below Amesville to Walnut Street ferry at Westwego, paved Barataria Boulevard, and road under contract from Gretna to Amesville are shown in 2nd Good Road District, west of the Mississippi River in Jefferson Parish; also shown are adjacent railroad track, yards, junctions, and depots, drainage and navigation canals, locks, villages, Mississippi River, ferries, and a portion of Orleans Parish. Artist, H. L. Zander, Parish Engineer. Blueprint and black on white tracing cloth. Scale 1" equals 1,000'. 21 x 47.

34. PLAN FOR GOOD ROAD DIST. NO. 2, WESTWEGO, LA., Sept. 9, 1914. 1 plan.

Plan showing proposed new location of highway crossing at intersection of Southern Pacific Railroad Company tracks and company canal, present railroad ramp, present crossing, Texas and Pacific Railroad Company tracks, yards and station, railroad bridges over canal, home of bridge tender, public road, subdivisions, blocks and streets in section. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 20'. 10 x 14.

35. MAP OF THE SOUTHSIDE PLANTATION, July 2, 1913. 1 plan.

Plan of right of way for new highway in Second Good Road District across and on the Ames plantation property, west side of the Mississippi River, in Jefferson Parish, at Amesville; showing route, center line and width, of new highway, location of plantation office, sugar house, labor quarters, squares and square numbers in area, Texas Pacific Railway tracks through plantation, Thibault property line on west, L. H. Marrero property line on east, and Mississippi River on north side. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 600'. 14 x 19.

36. MAP OF PORTION OF LOUISIANA BETWEEN LAKE PONTCHARTRAIN, MISSISSIPPI RIVER, AND BAYOU LAFOURCHE, n. d. 1 map.

Map showing portions of Jefferson, Orleans, St. Charles, Plaquemines, St. John the Baptist and Lafourche Parishes. Outlined in red ink are the proposed limits of Jefferson Parish Road District number 3. Name of artist not given. Publisher, Wisner and Dresser, 809 Hennen Bldg., New Orleans, La. Black on white. Scale not given. 22 x 32.

37. GENERAL SECTION OF FOURTH ST. ROAD, GRETNA [Electric Car] LINE AND HARVEY CANAL, n. d. 1 sketch.

Sketch showing present condition of road and proposed improvement, with line of new pavement, present line of pavement, wood boarding to be taken out, fills to be made, culverts, and property lines. Artist, H. L. Zander, Parish Engineer. Tracing. Scale not given. 6 x 25.

38. PROPOSED SECTION FOR HARAHAH CITY, LA., Oct. 23, 1919. 1 map.

Map showing property needed for right of way of proposed New Orleans-Baton Rouge state highway section through Harahan City; also showing Orleans-Kenner railroad tracks, pole lines, present shell road, proposed route of new highway, and adjacent blocks, lots and lot numbers, streets and avenues. Profile shows section of present shell road, present Orleans-Kenner railroad tracks alongside, and section of proposed new highway on other side of tracks. Artist, H. L. Zander, Parish Engineer. Blueprint. Map scale 1" equals 50'. Profile scale 1" equals 4'. 19 x 25.

39. MAP OF THE ROAD BETWEEN HARVEY AND BARATARIA ROAD, Nov. 27, 1912. 1 map.

Cross sections of Fourth Street Public Road District number two, showing river side road line, rail lines, car line, center line, surface grades, present grade, fills, culverts and Harvey Canal bridge. Artist, H. L. Zander, Parish Engineer. Black on white tracing. Scale not given. 22 x 22.

40. PLANS SHOWING HARVEY [Louisiana] FERRY LANDING, Dec. 10, 1921. 3 plans.

Plans, in triplicate, showing new location of landing for the ferry across the Mississippi River from Harvey to Louisiana Avenue in New Orleans, also new public road and crossings over the Texas and Pacific Railroad and the Southern Pacific Railroad tracks and N. O. & W. electric car line to connect with the new parish main highway; also showing present ferry landing, levee, Harvey Navigation Canal and lock, squares, lots, and streets in area, and properties of Swift and Company and Louisiana Cypress Lumber Company. Artist, H. L. Zander. Blueprint. Scale 1" equals 200'. 9 x 13.

41. PLAN OF DEFFNER & CAPO PROPERTY LOCATED ON JEFF[erson] HIGHWAY, July 15, 1925. 1 plan.

Plan showing right of way to be used for highway by agreement of property owners. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 20'. 18 x 35.

42. JEFFERSON HIGHWAY IN THE CITY OF KENNER, Aug. 13, 1924. 3 sketches.

Sketches, showing old location of highway in Kenner and new location as per ordinance calling for hard surface road from William Street, up Third Street to Pollock Street; railroad crossings and right of way of Orleans-Kenner railroad on Jefferson Highway in the first good road district; and route of new Jefferson Highway through West Carrollton. Artist, H. L. Zander, Parish Engineer. Scale 1" equals 200'. Size varies: 8 x 16 to 11 x 36.

43. LOCATION MAP SHOWING THE LOCATION OF PROPOSED GOOD ROADS FROM ORLEANS TO THE PARISH OF ST. CHARLES LINE, Feb. 28, 1914. 8 maps.

Eight duplicate maps of the right of way for a proposed highway from the Orleans-Jefferson Parish line, through the City of Kenner, to the Jefferson-St Charles Parish line; showing route of highway with center right of way for electric railroad, property lines in area traversed, and adjacent railroad tracks, public roads and Mississippi River. Artist, H. L. Zander, Engineer. Blueprint. Scale 3" equals 1 mi. 16 x 32.

44. MAP OF AIR LINE HIGHWAY, n. d. 1 map.

Map sketch of proposed paving and widening of present Jefferson Highway to connect with Airline Highway as far as Claiborne Avenue, showing paved Jefferson Highway, neutral ground, and proposed paving to Orleans Parkway, city limits of Kenner, Harahan, and Mississippi River. Artist E. D. Deckbar. Blueprint. Scale not given. 20 x 24.

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- 45. METAIRIE - CLOSING OF STREETS IN THE VILLAGE OF BATH NO. 1 OF METAIRIE AND OPENING OF CENTRAL AVE. TO BE KNOWN AS SEMINARY AVE. BY POLICE JURY OF JEFFERSON PARISH, Aug. 26, 1919. 1 map.

Map showing streets to be closed and new avenue to be opened; streets, subdivisions, and private and public lands bordering area to be traversed by new avenue, adjacent railroad tracks and Metairie Bayou. Artist, H. L. Zander, Parish Engineer. Publisher, Frank H. Waddill, New Orleans, La. Black on white. Scale 1" equals 100'. 17 x 28.

- 46. PLAN OF METAIRIE SUBDIVISION, PROPOSED LOCATION OF NEW STREETS, AVE. D FROM IONA ST., AVE. E FROM IONA ST. June 17, 1916. 2 plans.

Plan in duplicate, of area bounded by Metairie Road, North Line Street, Iona Street and Protection Levee, showing location of proposed new streets, Avenue D from Iona Street to Friedrichsruhe; Avenue E from Iona Street to Orleans Street; widening of Stella Street to 50' by adding 10' from side of Friedrichsruhe; also showing present streets and avenues in area, squares, lots and lot numbers, adjacent sections, railroad track and drainage canal. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 20/100. 18 x 24.

- 47. NATCHITOCHEs - BOYCE H[igh] W[ay], Jan 8, 1922. 1 map.

Map showing highway right of way, elevations, surface grades, bench markers, and adjacent Cedar Plantation. Artist, V. Von Shoeler. Blueprint. Scale not given. 22 x 35.

- 48. NEW BARATARIA ROAD MAP, July 3, 1918. 6 plans.

Original drawing and five duplicate plans, showing proposed deviation of Barataria Road through Estelle Plantation. Present road is shown paralleling Bayou des Familles; proposed new road is shown on ridge, beginning at bench mark in section 34, township 14 S, range 23 E, southeastern district of Louisiana, west of the Mississippi River in Jefferson Parish, and continuing to a pecan grove in section 103, township 14 S, range 23 E. Also shown is Willow Road, Headland Road, and culvert; certificate and notation that strip not more than 50' wide is to be dedicated by plantation owners for new road in exchange for area covered by old road. Artist, H. L. Zander, Parish Engineer. Published at Gretna, La. Original, black on white tracing cloth; duplicates blue print. Scale 1" equals 500'. 11 x 22.

- 49. PLAN OF NORTH LINE ROAD, Aug. 6, 1919. 8 plans.

Plans for right of way of North Line Highway, showing starting point as station 0.00 Shrewsbury at intersection of Metairie Road and Roverson Street, and end of highway at William Street in City of Kenner; also showing property lines, blocks, lots and intersecting streets in area traversed, adjacent Louisiana Railway and Navigation Company railroad tracks and public roads. Profile shows swamp water levels and railroad elevations. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale not given. 35 x 15.

- 50. MAP OF NORTH LINE HIGHWAY EXTENSION, Feb. 28, 1918. 2 maps.

Maps in duplicate, showing route of highway, with adjacent highways, roads,

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railroads, car-lines, streets, avenues, and canal paralleling Protection Levee. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 600'. 19 x 24.

- 51. PLANS FOR GRAVEL ROAD FROM PROTECTION LEVEE TO HANSON CITY, n. d. 3 plans.

Plans and profiles of proposed road, showing right of way and road boundaries, grade lines and drainage grades, industrial and residential sections, streets, culverts, and profile. Name of artist not given. Blueprint. Scale not given. 22 x 35.

- 52. PLAN OF THE ORLEANS LEVEE BOARD FOR ROAD ALONG PROTECTION LEVEE FROM [Mississippi] RIVER TO METAIRIE ROAD, June 17, 1925. 1 plan.

Plan and sections of upper Protection Levee, showing route of proposed road, toe and crown of new levee, railroad tracks and streets in area traversed, and sections of old and new levee at various construction stations. Artist, Marcel Garsaud, Engineer. Publisher, Board of Levee Commissioners of the Orleans Levee District, New Orleans, La. Blueprint. Scale 1" equals 100'. 34 x 72.

- 53. [Plans and Profile of] SHREWSBURY-CARROLLTON AVE. H[igh] W[ay], Feb. 21, 1924. 6 plans.

Sectional plans with profiles for highway, showing road from upper Carrollton to lower Carrollton, Hyland to West Carrollton, Shrewsbury to Ristroph, and three unnamed sections of route; showing course of highway, Orleans-Kenner Traction Company tracks, adjacent lots with names of owners, shell roads, and names of village streets crossed by highway. Profile shows elevations. Artist, S. T. Allen and Maury Nicholson. Publisher, La. Highway Commission, New Orleans, La. Blueprint. Scale not given. 22 x 36.

- 54. PLAN SHOWING PUBLIC ROADS, RICHLAND GARDEN SUBDIVISION, March 1, 1924. 1 plan.

Subdivision plat, showing property lines, streets and drives; adjacent railroad tracks, North Line Highway, public road and Suburban Acres subdivision. Artist, H. L. Zander. Publisher, S. E. Calongne, New Orleans, La. Blueprint. Scale not given. 20 x 23.

- 55. MAP [of] WESTWEGO TO AVONDALE ROAD, Jan. 15, 1910. 1 map.

Map showing right of way for new cut-off public road, sections and section numbers, property lines in area traversed, adjacent railroads and company canal, Mississippi River and ferries. Attached are specifications for clearing, ditching, fencing, gates, culverts and bridges. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 1,000'. 37 x 43.

- 56. [Plans, Maps and Profile of] PROPOSED STATE HIGHWAY [Westwego to Gretna], July 26, 1929. 25 maps and plans.

Maps and plans of proposed highway, showing boundaries, standard fence and guard rail, sections of concrete pavement, roadway grade, elevation, drainage grades, culverts, borrow pit, excavations; industrial and residential sections in area traversed and adjacent

railroad tracks. Artist, W. H. Norckauer, State Highway Engineer. Publisher, L. B. Ogden, Baton Rouge, La. Blueprint. Scale 1" equals 1,000'. 36 x 22.

- 57. PROFILE AND GOOD ROAD PLAN JEFFERSON PARISH FOR SALA AVE. [Westwego] BETWEEN COMPANY CANAL AND THE JUNCTION OF TEXAS AND PACIFIC RAILROAD, Aug. 2, 1914. 1 plan.

Profile and plan, showing road grade, drainage grades, bridge elevation, adjacent squares, streets, avenues, company canal and railroad tracks. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale not given. 11 x 38.

- 58. MAP OF THE WESTWEGO [Louisiana] FERRY LANDING, Feb. 5, 1913. 1 map.

Map of location of new Mississippi River ferry landing, showing old landing, new ferry pontoon, ramp, ferry house, contour of river, depths of water, batture, levee, company canal and locks; squares, streets, and roads in section, and adjacent railroad tracks and Texas and Pacific Railroad property. Also contains side view and profile of ferry house, levee, pontoon and river; and plan view showing pontoon, location of piling, ferry house, levee and ramps. Artist, H. L. Zander, Parish Engineer. Published at New Orleans, La. Black on white tracing paper. Scale 1" equals 1,000'; profile 1" equals 200'. 28 x 38.

Bridges

- 59. SKETCH OF HARVEY BRIDGE OVER HARVEY NAVIGATION CANAL, July 11, 1918. 1 plan.

Sketch of highway and railroad bridge over canal, showing side elevation with draw open and closed, concrete and piling foundations, pulleys and weights, and giving clearances. Artist, H. L. Zander, Parish Engineer, Blueprint. Scale not given. 17 x 19.

- 60. SKETCH OF HOYES CANAL BRIDGE, May 28, 1923. 2 plans.

Sketch, showing side elevation of bridge over Hoyes Canal at Metairieville, with original slope, slough, present slope, old pilings, flooring, guard rail, and distance from floor line to canal level; also showing section of flooring, indicating lake and portion which collapsed after a four-inch rain. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 10'. 10 x 15.

- 61. PLAN FOR THE BRIDGE OVER THE HOYE'S CANAL, Jan. 18, 1912. 2 plans.

Detail plan, in duplicate, for removing and rebuilding bridge over the Hoyer's Canal at Protection Levee about 2,000 feet south of Metairie Road in Jefferson Parish, showing plan view, and or section view, upper side or longitudinal view, and location of piles, caps, sills, sheeting, and stringers. Material bill is shown on insert and labor and material specifications are attached. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1/8" equals 1'. 15 x 19.

- 62. OFFICIAL PLAN OF HIGHWAY BRIDGE OVER METAIRIE AND PROTECTION LEVEE CANAL KNOWN AS 17th ST[reet] OUTFALL, Oct. 24, 1922. 1 plan.

Plans for repairs to bridge over Metairie Relief Canal at Metairie Road, showing side view of bridge on section on center line, and view, and diagram of bracing and joists with section of flooring; all sections giving dimensions of materials used, and construction specifications. Name of artist not given. Publisher, New Orleans Sewerage and Water Board, Drainage Engineering Dept., New Orleans, La. Blueprint. Scale 1" equals 5'. 21 x 37.

- 63. PLAN OF METAIRIE RELIEF CANAL, [Metairie Road]. Aug. 2, 1913. 1 plan.

Plan for bridge approach at Metairie Relief Canal, showing proposed new bridge Metairie Road, right of way, fence, walk, elevations and grade line. Artist, H. L. Zander, Parish Engineer. Publisher, New Orleans Sewerage & Water Board, New Orleans, La. Blueprint. Section scale: 1/2" equals 1'; plan scale: 1" equals 10'. 25 x 38.

- 64. PLAN OF BRIDGE OVER METAIRIE RELIEF CANAL AT METAIRIE ROAD, June 18, 1913. 1 plan.

Plan showing section on center line of bridge, section of foundation bracing, floor plan, bill of lumber, and specifications. Name of artist not given. Published by Drainage Department, Sewerage and Water Board of New Orleans, La. Scale not given. 22 x 37.

- 65. VIEW AND ELEVATION PLAN [of Bridge] - METAIRIE ROAD AND PROTECTION LEVEE. June 17, 1912. 1 plan.

View showing proposed method for extending and bracing old bridge located at Metairie Road and Protection Levee across the drainage outfall canal; and plan showing old work and new extension; labor and materials specifications are attached. Artist, H. L. Zander, Parish Engineer. Publisher, Eugene Dietzgen Co., New Orleans, La. Blueprint. 1/8" equals 1'. 15 x 22.

- 66. PLANS OF BRIDGE OVER UPPER PROTECTION CANAL - METAIRIE ROAD, Dec. 1898. 4 plans.

Plans showing front and side elevations of bridge, section of flooring, bill of material, and bridge dimensions; and plan of revetment at mouth of upper protection canal, West End, showing layout of old revetment and side elevation of new project. Name of artist not given. Publisher, Drainage Commission Engineering Department. Blueprints. Scale 1/4" equals 1'. 20 x 34.

- 67. PLAN OF NEW APPROACH TO PALM STREET BRIDGE, Dec. 22, 1936. 1 plan.

Plan showing protection canal, extension bridge, existing and proposed roadways, and telephone poles. Name of artist not given. Publisher, N. O. Sewerage and Water Board, New Orleans, La. Blueprint. Scale 1" equals 20'. 23 x 36.

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Waterways

68. MAP OF BAYOU BARATARIA, Nov. 3, 1920. 5 maps. Five duplicates of sketch made by orders of the committee of freeholders, showing course of Bayou Barataria from a point north of Bayou Des Familles to Lafitte Post Office, Barataria, Louisiana; also showing a 50' wide public road from Bayou Des Oise over a route approximately 6-4/10 miles long to Bayou Barataria, with public ferries at the beginning and ending of the road. The area traversed by the road lies in townships 15 and 16 South, range 23 East, southeastern district of Louisiana, in Jefferson Parish west of the Mississippi River. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale not given. 9 x 21.

69. MAP AND CROSS SECTIONS OF PROPOSED CANAL ON GRAND ISLE, April 19, 1918. 1 map. Map showing canal right of way through private property, proposed road, surface grades, bayous and bays. Artist, Harold G. Graham, Civil Engineer. Published at New Orleans, La. Blueprint. Map scale 1" equals 317'. Cross section 1" equals 10'. 17 x 55.

70. MAP SHOWING PRESENT OWNERS COVERING RIGHT OF WAY BETWEEN BAYOU VILLARS AND BAYOU PERO, [At Barataria, La.], April 11, 1928. 1 map. Map showing present owners covering right of way for Louisiana and Texas Intracoastal Waterway, between Bayou Villars on the north and Bayou Pero on the south; also showing adjacent Lako Salvador, Bayou Barataria and Lafourche-Jefferson Parish line. Artist, H. L. Zander, C. E. Blueprint. Scale 1" equals 300 chains. 2.665" equals 1 mi. 13 x 33.

Drainage

71. MAP OF DRAINAGE COMMISSION, JEFFERSON PARISH, n. d. 1 map. Map of Jefferson Parish and a part of Orleans Parish, showing parish boundary line, township line, numbered sections, Mississippi River, bayous, canals, and pumping station; United States reservation, railroads and railroad yards, residential sections, streets and avenues. Name of artist not given. Tracing. Scale 1" equals 10,000'. 54 x 33.

72. MAP OF JEFFERSON PARISH, EAST BANK OF RIVER, 4TH JEFFERSON DRAINAGE DISTRICT, MARCH 15, 1926. 1 map. Map of Jefferson Parish, East Bank, 4th Drainage District, showing subdivision and ownerships, squares, lots, lot numbers, streets, Lake Pontchartrain, Mississippi River, railroads, West Orleans Beach Corp. Inc., and boundary of drainage district, residential and industrial sections. Artist, James S. Webb, Civil Engineer, 602 Canal Commercial Bank Building. Published at New Orleans, La. Tracing. Scale 1" equals 1,200'. 43 x 47.

73. [Drainage Map, Sub-District No. 5, 4th Drainage District], Nov. 29, 1916. 1 map. Map showing enlargement of area for sub-district number five of the

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fourth drainage district, with drainage canals, pumping stations, areas, sections, property lines, railroad tracks and highways. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 20 chains. 32 x 34.

74. MAP OF CITY OF GRETNA, PARISH OF JEFFERSON, AND PLAN OF LAFAYETTE STREET OUT FALL [Canal], April 15, 1918. 2 maps and 1 plan. Map in duplicate, showing right of way through rear of city of Gretna for Jefferson and Plaquemines Highway, and drainage canal running parallel to it; and plan showing same sector and adjoining portions of City of Gretna, with drainage system and canals. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 4,000'. Size varies: 8 x 23 to 12 x 38.

75. PLAN OF DRAINAGE CANAL, REAR [of] GRETNA, Nov. 12, 1923. 1 plan. Plan showing location of right of way for proposed relief drainage canal, also adjacent blocks, streets, avenues, drainage canal, highway and railroad, Verret line and original Verret land, Verret Canal, and Hero Division. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 200'. 17 x 20.

76. MAPS OF THE METAIRIE BAYOU CANAL, July 2, 1913. 2 maps. Maps showing Metairie Bayou Drainage and establishing grade lines for the placing of tile drain pipes in the Metairie Ridge Nursery Company property; also showing nursery property, location of 36" pipe drain into Metairie Bayou, Metairie Road, drainage canal and box culvert at one end of bayou, Labarre Road and canal at other end, bayou pipe drain through Metairie Heights property, and adjacent tracks of New Orleans and Texas Railroad. The profile shows ground elevation of Metairie Bayou, side drains, box culvert bottom and drainage canal. Artist, H. L. Zander, Parish Engineer. Black on white tracing cloth. Scale not given. 13 x 34.

77. PLAN FOR ADDITIONAL OUTLET FOR DRAINAGE, 17TH STREET CANAL, March 31, 1930. 1 plan. Proposed drainage outlet plan, showing Metairie Relief Outfall Canal, lakeshore line, parish line, residential section in area, squares, square numbers, streets, and avenues. Artist, H. L. Zander, Engineer. Publisher, New Orleans Sewerage and Water Board, New Orleans, La. Blueprint. Scale 1" equals 100'. 23 x 37.

78. MAP OF METAIRIE RELIEF OUTFALL CANAL SHOWING LAKE END SURVEY, Mar. 26, 1931. 1 map. Map showing course of canal, boundaries, adjacent streets and avenues, residential and commercial sections in area traversed, with lots, lot numbers and parish line. Artist, H. L. Zander, Parish Engineer. Publisher, New Orleans Sewerage and Water Board, Drainage Engineering Dept., New Orleans, La. Blueprint. Scale 1" equals 100'. 23 x 37.

79. PROFILE OF METAIRIE RIDGE DRAINAGE, April 12, 1926. 1 profile. Profile showing drainage conditions as found April 12, 1926, and the

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pipe sizes and limit of drainage area as set up by plan and ordinance of July 2, 1913; also the original grade and pipes, and pipe set as found. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale not given. 22 x 25.

80. PLAN AND PROFILE OF METAIRIE AND LABARRE ROAD CULVERTS, Feb. 10, 1926-April 12, 1926. 2 plans.

Plan and profile showing highway and road drainage for Labarre Road, pipe drainage culvert, and canal to be covered for sidewalk and road improvement; and profile of Metairie drainage showing conditions as found April 12, 1926, pipe size and set, and limit of area. Artist, H. L. Zander, Parish Engineer. Handdrawn. Scale not given. 22 x 34; 22 x 75.

81. PLAN OF I[llinois] C[entral] RAILWAY, SHREWSBURY, LA., May 12, 1914. 1 plan.

Plan of drainage desired by Jefferson Parish, showing ditch to be constructed between Severn Avenue in Shrewsbury and railroad bridge 907-1 at Harlem Avenue, and proposed wood boxes to be installed by railroad under spur tracks of Planter's Fertilizer and Chemical Manufacturing Company; also showing squares, streets, roads, canals, property lines, and industrial buildings in area. Name of artist not given. Publisher, Office of Asst. Engineer, I. C. R. R., New Orleans, La. Blueprint. Scale 1" equals 200'. 10 x 29.

Subdivision Plats (See also entries 187-201)

82. [Map of] BROCKENBROUGH COURT EXTENSION, June 3, 1927. 1 plat.

Plat of rear portion of plot number two of tract formerly owned by A. Bonnabel, being a part of lot "A", section 125 of Bath number two, township 12 S, range 11 E, southeastern district of Louisiana, east of Mississippi River in Jefferson Parish, showing squares, lots, lot dimensions, streets and avenues dedicated, drainage canal, property line of Carroll Tract, rear line of Brockenbraugh Court, certificates and dedications. Artist, C. A. Robert, C. E. Blueprint. Scale not given. 9 x 70.

83. MAP OF BROCKENBROUGH COURT SUBDIVISION, May 11, 1932. 1 plat.

Plat of tract located in section 125, township 12 S, range 11 E, southeastern district of Louisiana, east of the Mississippi River, in Jefferson Parish, showing the area extending from Metairie Road to the south side of the prolongation of Brockenbraugh Street in Bonnabel Place subdivided into large lots, with dimensions given, and the remainder of the tract subdivided into smaller lots, and squares with residential lots, numbers given. Artists, C. A. Robert and G. W. Lawes, C. E. Publisher, G. W. Lawes, 310 Balter Bldg., New Orleans, La. Blueprint. Scale 1" equals 100'. 9 x 33.

84. PLAN OF PUBLIC PARK, BONNABEL DIVISION, July 10, 1924.

1 plan.

Plan of area fronting Metairie Road on the east side, and the Main Drive of Codifer Avenue and the Old Homestead Highway on the west side, which was dedicated for a public park in recorded map of the Bonnabel Place Subdivision, showing portion set aside for the building of a

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public fire engine house for the Metairie Fire Company to be located on the west side of the Bertucci property, also showing road outlet through park area, and adjacent Metairie Road, car line, open drainage canal, culvert, parish school area, Codifer Boulevard, Bertucci Division, Bath Avenue and Bonnabel Boulevard. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale not given. 8 x 17.

85. MAP OF BROOKLYN NOW PART OF GREYNA, JEFFERSON PARISH, July 27, 1908. 1 map.

Tracing from the original map of Brooklyn Subdivision, showing area between 2nd Street, 6th Street, Monroe Street and Madison Street reserved for the use of New Orleans, Opelousas and Great Western Railroad; also showing, as boundaries of subdivision, the public road running parallel to Mississippi River, Fifteenth Avenue, property of Labarre, and Marc and Salter property; blocks in area, lots and lot numbers, Jefferson Avenue as main thoroughfare, streets in section, and tracks of New Orleans, Opelousas and Great Western Railroad. Name of artist not given. Publisher, Right-of-Way Dept. N. O. O. & G. W. R. R., Houston, Texas. Blueprint. Scale 1" equals 300'. 13 x 56.

86. PLAT OF CLAIBORNE GATEWAY SUBDIVISION, May 11, 1925. 1 plat.

Revision of original plat of subdivision showing blocks shifted northward to meet the demand made by the Louisiana State Highway Commission for right of way of the Jefferson Highway; also showing blocks, lots, lot numbers and dimensions, streets, courts, and adjacent highways, public road, street car line, Mississippi River and Batture. Artist, Elbert G. Sandoz, C. E., New Orleans, La. Blueprint. Scale 1" equals 100'. 21 x 37.

87. PLAT OF CLAIBORNE PARKWAY SUBDIVISION, Aug. 14, 1929. 1 plat.

Plat of tract situated in Jefferson Parish, east of the Mississippi River, in section 46, township 12 S, range 10 E, southeast district of Louisiana, which is a portion of original lots 13 and 14 lying between the Jefferson Highway and the right of way of the Illinois Central and Yazoo and Mississippi Valley railroads, showing squares and square numbers, lots, lot numbers and dimensions, property lines, main thoroughfare of subdivision, intersecting streets, and tracks of Orleans-Kenner Electric Railway; dedications, certificates and restrictions; and location map on insert. Artist, J. H. Payne, Parish Engineer. Publisher, Lake to River Land Co., New Orleans, La. Brown on tan print. Scale 1" equals 60'. 47 x 31.

88. PLAT OF CLEARVIEW ESTATES, June 23, 1930. 1 plat.

Plat of tract situated in section 44, township 12 S, range 10 E, southeastern district of Louisiana, east of the Mississippi River in Jefferson Parish; showing boundaries, lots, lot numbers and dimensions, streets, avenues, adjacent Pontchartrain Gardens Subdivision Section "B", certificates, dedications, and inserted key and location maps. Artist, F. E. Grevemberg, C. E., New Orleans, La. Tracing print. Scale 1" equals 100'. 23 x 32.

89. PLAT OF COLONIAL HEIGHTS, June 6, 1928. 1 plat.
Plat of the original lots 11 and 12 of the tract situated in townships 12-13 S, range 10 E, southeastern district of Louisiana, east of the Mississippi River in Jefferson Parish, showing boundaries, subdivision into numbered lots, Orleans-Kenner Railroad tracks, Mississippi River, batture, toe of levee, certificates and dedications. Artist, J. H. Payne, Parish Engineer. Publisher, S. A. Calongne's Sons, New Orleans, La. Blueprint. Scale 1" equals 60'. 14 x 45.

90. SKETCH SHOWING PROPOSED SUBDIVISION OF CRESTMONT PARK AND BEVERLY KNOLL SUBDIVISION, Feb. 9, 1926. 3 plans.
Plans, showing the proposed subdivision of the area between the Crestmont and Beverly Knoll Subdivisions, consisting of the Dominican Fathers' Tract, a triangle of the Taylor Tract, and the so-called Bath Avenue, into blocks separated by streets and avenues; also shown are the areas of new streets which the subdivision develops, Fred S. Weis, proposes to dedicate to the parish in exchange for the land comprising the right of way of so-called Bath Avenue, the title to which has been held under means conveyances since Aug. 31, 1843 when it was sold by the sheriff, pursuant to a writ of fi-fa, 1st Judicial District Court, in re: Jean Darthenog vs. Bath Railroad Company, to Etienne Dembuens; Henry Bonnabel purchased the land from Dembuens Sept. 4, 1853, by act before L. T. Caire, notary, and it has remained in the Bonnabel family until this time, but doubt exists as to whether the area in Bath Avenue was ever dedicated as a public street. Artist, H. L. Zander, Parish Engineer. Publisher, Frank H. Waddill, C. E. New Orleans, La. Blueprint. Scale 1" equals 80'. 16 x 37.

91. PLAT OF C. B. FOX SUBDIVISION, METAIRIE RIDGE, July 3, 1928. 1 plat.
Plat of property formerly known as Ricks Tract, showing Metairie Road, H. T. Cottam property, A. S. Thompson property, and Southern Railroad right of way as boundaries, and proposed neutral ground, concrete road, and sidewalks. Artist, Frank H. Waddill, C. E. Published at New Orleans, La. Blueprint. Scale 1" equals 80'. 9 x 29.

92. MAP OF GRAND BEACH SUBDIVISION NO. 12 AT GRAND ISLE, LA., AUG. 12, 1931. 10 plats.
Plats of La Playa Grande Subdivision Number 1, and sections 1 and 2, 3, 11, and 12 of Grand Beach Subdivision, all situated in section 28, township 22 S, range 24 E, southeastern district of Louisiana, west of the Mississippi River in Jefferson Parish, and Grand Beach Subdivision sections 6, 7, 8, 9 and 10 situated in section 25, township 22 S, range 24 E, showing numbered lots, streets, avenues, alleys, highway, piers, Gulf of Mexico, key map, certificates and dedications. Artist, J. H. Payne, Engineer. Publisher, F. B. Hill Co., New Orleans, La. Blueprint. Scale 1" equals 100'. Size varies: 36 x 11 to 20 x 36.

93. DRAINAGE MAPS OF SUBDIVISION AT GRAND ISLE, Feb. 10, 1922. 6 maps.
Plats of tract situated in section 25, township 22 South, range 24 East, southeastern district of Louisiana, west of the Mississippi River in Jefferson Parish; showing division into units 4, 13, 14 and 15, and

lot number 39 of Grand Beach Subdivision, and subdivision of each plot into squares and lots. Also contained is a plat of tract situated in township 21S, range 24E, which has been reserved for industrial and camp sites. On each plat dedications and certificates are shown, and key maps inserted showing Grand Isle with location of subdivisions, post office, United States Coast Guard station, Oleander Hotel, public road, boat landing, Caminada Bay, bridge from Cheniere Caminada to Grand Isle, Bayou Ricaud, Barataria Bay, Grand Pass, Gulf of Mexico, Grand Terre Island, lighthouse, Fort Livingston, and Jefferson-Lafourche Parish line. Drainage systems are not shown on any of these plans. Name of artist not given. Publisher, West Grand Isle, Inc., New Orleans, La. Blueprints. Scale 1" equals 100'. 12 x 25 to 12 x 32.

94. MAPS OF HARAHAH [City, Louisiana], Sept. 5, 1914. 3 maps.
Maps in triplicate, showing subdivision into squares and lots of tract, formerly known as the Southern University Farm, situated in township 12-13 S, range 10 E, southeastern district of Louisiana, on the east side of the Mississippi River in Jefferson Parish; also showing park, streets, and avenues in section; adjacent public road, levee, batture, and Mississippi River; Harahan yards of the Illinois Central Railroad Company, with tracks, shops and roundhouse, and main line of the Texas and Pacific Railroad. Certificates and dedications appear on each plat, and the first sheet shows selling price of certain lots. Artist, Alfred E. Bonnabel, Parish Surveyor, Publisher, L. Gus Elfer, New Orleans, La. Blueprints. Scale 1" equals 240'. 15 x 32.

95. PLATS OF HARVARD ESTATES, SECTION "B", Sept. 17, 1930. 2 plats.
Duplicate plats of tract formerly known as Pontchartrain Gardens situated in section 44, township 12 S, range 10 E, southeastern district of Louisiana, east of the Mississippi River in Jefferson Parish; showing boundaries, squares, square numbers, lots, lot numbers and dimensions, streets and avenues in area, certificates and dedications, and inserted key and location maps. Artist, J. H. Payne, C. E. Publisher, F. B. Grevemberg, New Orleans, La. Tracing print. Scale 1" equals 100'. 24 x 36.

96. MAPS OF LOTS 1-3 and 4 OF THE TRACTS OF LAND NEAR HARVEY, LA., June 15, 1913. 1 map.
Map, surveyed at the request of C. J. Brown, showing survey and staked out lots having such form, location marks and measurements as are shown on the sketch; also showing boundaries of adjacent Harvey Tract, Pickle Tract, R. Milliken property and C. J. Brown property, and railroad tracks, street car line, and Mississippi River. Artist, A. G. Munding, Surveyor, New Orleans, La. Blueprint. Scale not given. 15 x 25.

97. PLAT OF HARVEY CANAL SUBDIVISION, Jan. 13, 1928. 1 plat.
Plat of tract situated in section 1, township 13 S, range 24 E, and section 44, township 14 S, range 24 E, southeastern district of Louisiana, west of the Mississippi River in Jefferson Parish; showing subdivision into numbered lots, streets and avenues, boundaries, certificates and dedications, and inserted key map. Artist, Elbert G. Sandoz, C. E. Publisher, Weil and Paillet, New Orleans, La. Blueprint. Scale 1" equals 100'. 29 x 68.

98. PLAT OF THE TOWN OF HARVEY, Dec. 31, 1924. 1 plat.
Plat of block number one in Harvey, Louisiana, bounded by First Avenue, Destrehan Avenue, Fourth Street and Fifth Street, showing subdivision into numbered lots with dimensions given. Also shown are adjacent Marrero Subdivision, United States Government property, and Harvey Canal. Artist, James S. Webb, C. E. Published at New Orleans, La. Blueprint. Scale 1" equals 50'. 22 x 23.

99. PLAT OF RE-SUBDIVISION OF INGLESIDE HEIGHTS, Feb. 17, 1930. 1 plat.
Plat of lots, 1, 2, 3, and the rear portion of lot 4 in square number one, Ingleside Heights Subdivision situated in section 125, township 128, range 11 E, southeastern district of Louisiana, east of the Mississippi River in Jefferson Parish; showing re-subdivision into alphabetically labeled lots. Also shown are adjacent streets and squares, certificates, and dedications. Artist, J. H. Payne, Parish Engineer. Blueprint. Scale 1" equals 40'. 17 x 19.

100. COPY OF THE ORIGINAL MAP OF THE LABARRE DIVISION, ALSO LOT NUMBER 19, Aug. 30, 1907. 3 maps.
A true copy of the original LaBarre division map, showing LaBarre Road from the Mississippi River to Metairie Road and the Volant LaBarre drainage canal paralleling it along the outside of original lot number 19; all measurements are given in French and the Ludger Fortier property is shown adjoining the LaBarre tract. Map number 2 shows the original division with lot number 19 subdivided into 38 lots; measurements are in English, and present property line, Mississippi River waterline and public road location are shown, together with old line of river, old public road, and old property line now under water. Map number 3 shows lot number 19 subdivided, and location of LaBarre Road and drainage canal. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale not given. Size varies: 16 x 35 to 22 x 38.

101. MAP OF VILLAGE OF LAFITTE - SHOWING FISH AND GAME PRESERVE, July 18, 1933. 1 map.
Copy of map submitted to Louisiana Conservation Department by Jefferson Parish Police Jury showing 3860 acres of diversified farm lands at Lafitte, 6th ward, Jefferson Parish, which is available for development by Federal Civilian Conservation Corps as a fish and game preserve; also showing adjacent Village of Lafitte and citrus lands. Attached is correspondence between Parish Engineer, Police Jury, and Louisiana Conservation Department. Artist, J. H. Payne, Parish Engineer. Blueprint. Scale not given. 16 x 22.

102. PLATS OF LAKE VILLAS, June 1, 1929. 4 plats.
Plats of subdivision sections A, B, C and D, of tract situated in Section 44, township 12 S, range 10 E, southeastern district of Louisiana, east of the Mississippi River in Jefferson Parish; showing dedication, certificates, key map, location map, and lots, lot numbers, dimensions, streets and avenues in section A on first sheet, and layout of sections B, C, and D, respectively, on other sheets. Artist, F. B. Grevemberg, C. E. and J. H. Payne, Engineers. Publisher, West Orleans Beach Corp. Inc., Johness Sales Corp. Inc., Agents, New Orleans, La. Tracing,

brown on white. Scale 1" equals 100'. 18 x 35.

103. PLAT OF J[efferson] H[ighway] LITTLE FARMS, [Formerly Orleans-Kenner Farms], Feb. 28, 1925. 1 plat.

Plat of portion of subdivision lying between the public road along the Mississippi River and the Jefferson Highway, showing line of bordering Hyland property on one side and Villars property line on the other; also showing other portion of subdivision across the Jefferson Highway, with squares, streets and avenues. Artist, James S. Webb, C. E. Published at New Orleans, La. Blueprint. 1" equals 200'. 13 x 18.

104. PLAT SHOWING THE SUBDIVISION OF MARRERO, LOUISIANA, Nov. 10, 1912. 1 plat.

Plat showing subdivision of the Marrero Addition, a tract situated in section 45, township 13 S, range 23 E, and partly in section 35, township 14 S, range 23 E, southeastern district of Louisiana, west of the Mississippi River in Jefferson Parish. This tract is bounded on the north or river side by the Penick and Ford Manufacturing Company plant; on the east by lands of T. and F. Allo, on the south and west by lands of the Marrero Land Improvement Association. Blocks, block numbers, lots, lot numbers and dimensions, streets and avenues in area are shown, and also adjacent public road, drainage canal, railroad tracks and Mississippi River. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 1000'. 24 x 43.

105. MAP OF METAIRIE, Sept. 4, 1926. 1 map.
Map, showing squares, lots, streets, avenues, Metry Club Gardens, and railroad tracks in section; and adjacent New Orleans Country Club and Water Purification Plant. Name of artist not given. Publisher, Friedrichs & Dupas, New Orleans, La. Blue on white. Scale not given. 17 x 20.

106. PLATS OF METAIRIE SUBDIVISION, July 25, 1917. 2 plats.
Duplicate plats, showing lines of subdivision, blocks, lots, lot numbers and dimensions, streets and avenues; also shows the additional area available for lot subdivision by the opening of Geranium Street from Stella Street to Friedrichs Avenue; Avenue E, north, widened from 36' 6" to 50'; and 10' sidewalk on Stella Street. Artist, H. L. Zander, Parish Engineer. Blueprint. 1" equals 100'. 12 x 23.

107. PLATS OF METAIRIEVILLE SUBDIVISION, July 2, 1925. 2 plats.
Plat of area bounded by Narcisse Street, Frisco Railroad tracks, Metairie Road and Metairieville; showing boundaries, lots, lot numbers, streets, avenues, New Orleans Terminal Company railroad right of way and car line. Artist, H. L. Zander, Parish Surveyor. Publisher, Friedrichs and Dupas, 812 Union St. New Orleans, La. Blueprint. Scale 1" equals 60'. 18 x 16.

108. PLAT OF METAIRIE SUBURB REALTY CO. [Subdivision],
May 6, 1912. 1 plat.

Plat showing the subdivision into squares with numbered lots of original lots D and E of the subdivision of Bath Number Two, part of Metairie, situated in township 12S, range 11E, southeastern district of Louisiana, east of the Mississippi river in Jefferson Parish. This subdivision and survey was made to conform to the lines of North Line street and to join the subdivisions of the Vincent property and the Friedrichs property, being a part of Metairieville; all streets opened or proposed to be opened are as shown on this plan, and insert sketches show sections of street plan, and sections of proposed North Line avenue with sidewalks, vehicular lanes and neutral ground. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 1200'. 20 x 49.

109. PLATS OF PORTION OF METRY CLUB GARDENS, Mar. 30, 1929.
2 plats.

Plats of portion of subdivision, showing streets, lot numbers and boundaries, and site of Metairie Park Country Day School. Name of artist not given. Publisher, J. F. Coleman Engineering Co. Blueprint. Scale 1" equals 100'. 18 x 30.

110. MAP OF EXCHANGE OF PROPERTY IN VILLAGE OF NEW GRETNA, May 6,
1914. 1 map.

Map showing location of property dedicated for a public park in area bounded by Fourth and Fifth streets, Brooklyn line and line of Old Gretna, and also showing property in same area for which it was exchanged. Artist, H. L. Zander. Published at Gretna, La. Black on white. Scale not given. 8 x 15.

111. PLAT OF STAFFORD SUBDIVISION IN NEW MECHANICAM [Gretna, La.],
n. d. 1 plat.

Plat of Stafford Subdivision in New Mechanicam, showing boundaries, streets and avenues, blocks and block numbers, lots and lot numbers and dimensions. Name of artist not given. Blueprint. Scale 0.1 ft. equals 200'.

112. PLAT OF OAKDALE [and] SUBURBAN PARK SUBDIVISIONS, Aug. 25,
1917. 1 plat.

Sales plat of parts of Oakdale and Suburban Park subdivisions adjoining Algiers, McDonoghville and Gretna, showing squares, lots, lot numbers, streets, avenues, and adjacent canals and railroad tracks. Artist, W. B. Stevens. Publisher, Friedrichs and Dupas, New Orleans, La. Blueprint. Scale 1" equals 200'. 17 x 52.

113. PLAT OF PONTCHARTRAIN GARDENS SUBDIVISION, SECTION "A",
Mar. 1929. 1 plat.

Plat of tract situated in section 44, township 12S, range 10E, southeastern district of Louisiana, east of the Mississippi river in Jefferson Parish; showing subdivision into squares and units, main thoroughfare, streets, avenues, boundaries; adjacent canals, and portion set aside for future dedication; also shows location map, key map, suggested plan for subdivision of units into lots, certificates and dedications. Artist,

F. B. Grevemberg, C. E. Published at New Orleans, La. Printed. Scale 1" equals 200'. 33 x 40.

114. PLATS OF PONTCHARTRAIN GARDENS SEC[tion] B, [and Clearview
Estates], Jan. 30, 1930. 2 plats.

Plats of Pontchartrain Gardens subdivision, property of West Orleans Beach Corporation, Inc., and plat of Clearview Estates subdivision, property of Mutual Investment Company, Inc., both situated in section 44, township 12S, range 10E, southeastern district of Louisiana, east of the Mississippi river in Jefferson Parish; showing boundaries, blocks, numbered lots, lot dimensions, key maps, location maps, dedications and certificates. Artist, F. B. Grevemberg, C. E. Publisher, New Orleans Beach Corp. Inc., New Orleans, La. Brown on white. Scale 1" equals 100'. 24 x 29 and 30 x 40.

115. PLATS OF SECTION "C" PONTCHARTRAIN GARDENS, PLANS OF SECTION
"D", Feb. 16, 1931. 2 plats.

Plats of adjoining sections of subdivision located in section 44, township 12 S, range 10 E, southeastern district of Louisiana, east of the Mississippi river in Jefferson parish; showing southern boundary of the two sections to be sections "A" and "B" of the subdivision, Pontchartrain Shores subdivision as the northern boundary, Dreyfus Tract and Victory Land Company property as the eastern boundary, and William Mason Smith Tract as western boundary; also showing squares and square numbers; units, unit numbers, acreage and dimensions, streets, avenues and drainage canals. Certificates and dedications are shown on each plat, and key and location maps are inserted. Artist, F. B. Grevemberg, C. E. Publisher, West Orleans Beach Corp., Inc., New Orleans, La. Brown on tan. Scale 1" equals 100'. 31 x 38.

116. PLAT OF RIDGEWAY TERRACE, JEFFERSON PARISH, Oct. 3, 1929.
1 plat.

Plat showing re-subdivision into lots of tract bounded by Metairie Road, Vivian street, Metairie car line, and Paillet Place. Artist, Gilbert & Kelly, Surveyors. Blueprint. Scale not given. 9 x 14.

117. PLAT OF SUBURBAN ACRES, n. d. 1 plat.

Plat of tract situated in section 44, townships 12 and 13 S, range 10 E, southeastern district of Louisiana, east of the Mississippi river in Jefferson Parish, showing subdivision into squares and lots. Subdivision number five is shown as being in the fifth unit of the fourth drainage district of the parish; subdivision number six is not drained. Present drainage ditches and canals number three, four and five are shown, also areas reserved for future drainage facilities. Artist, H. L. Zander, Parish Engineer. Publisher, Remyson Co., Inc., New Orleans, La. Blueprint. Scale not given. 9 x 64.

118. PLATS OF SUBURBAN VILLAS SUBDIVISION. Aug. 1, 1927.
2 plats.

Plat, in duplicate, of tract situated in township 12 S, range 10 E, section 44, southeastern district of Louisiana, east of the Mississippi river in Jefferson parish; showing subdivision into squares and lots,

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giving square and lot numbers and lot dimensions; Airline Highway as southern boundary and Victory Subdivision as northern boundary; also showing streets, avenues, and Houma Boulevard as main thoroughfare; drainage canals and sections reserved for drainage purposes; adjacent public road and Louisiana Railway and Navigation Company tracks. Certificates and dedications are shown, and key map on insert. Name of Artist not given. Publisher, S. A. Calongne's Sons, C. E., New Orleans, La. Blueprints. Scale 1" equals 100'. 138 x 17.

119. PLAT OF PROPERTY OF WEST [Orleans] BEACH CORP. [Subdivisions of Bridgedale, Pontchartrain Gardens and Pontchartrain Shores], Feb. 1929. 1 plat.

Plat of tract being developed by company between New Orleans-Baton Rouge Airline Highway and New Orleans-Hammond Highway which parallels Lake Pontchartrain, showing boundaries of each subdivision, business reservations, streets, roads, canals; bridges to be built by Drainage Board over canals number 2, 3, 4, and 5; roads to be stumped, ditched and gravelled; and footage of timber to be cut, stumps removed, ditches dug and roads gravelled. Section set aside for future development is also shown. Name of artist not given. Tracing, brown on tan. Scale 1" equals 600'. 17 x 40.

Railroads and Public Utilities

120. MAP OF GRETNA STATION, June 30, 1918. 1 map.

Map and plan of Morgan, Louisiana and Texas Railroad and Steamship Company switch tracks on jailhouse square in Gretna; showing freight and passenger depots of this railroad, Texas and Pacific Railroad passenger depot, main lines and switch tracks of both roads, and adjacent industrial and residential sections, lots and lot numbers, streets, courthouse, park, Jackson Avenue ferry landing and Mississippi river. Name of artist not given. Publisher, Office of Special Engineer, M. L. & T. R. R. & S/S Co. Published at Houston, Tex. Blueprint. Scale 1" equals 100'. 55 x 24.

121. [Plan of] SPUR TRACK AT HARVEY [Louisiana], Aug. 7, 1928. 1 plan.

Plan of proposed spur track, showing starting point as main line of Morgan, Louisiana and Texas Railroad, right of way through Destrehan avenue, and terminal in privately owned pasture; also showing streets and avenues in surrounding section, industrial plants, residential areas, and Harvey Canal. Name of artist not given. Publisher, M. L. & T. R. R. & S/S Co. Published at New Orleans, La. Blueprint. Scale 1" equals 100'. 28 x 25.

122. PLAN SHOWING PROPOSED SIDING ON HAMILTON ST. FROM NEW ORLEANS SOUTHERN AND GRAND ISLE RY. TO THE FABACHER DAIRY, Aug. 25, 1913. 1 plan.

Plan showing siding right of way, streets in area traversed, and adjacent railroad tracks. Artist, Harold H. Gibson, Engineer. Blueprint. 1" equals 300'. 13 x 19.

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123. PLAT OF SURVEY TO DETERMINE AN OUTLET FROM THE PETERS PROPERTY TO FRISCO AVE. n. d. 1 plat.

Plat showing tracks of New Orleans Terminal Company from a point beyond Hollywood Drive to Metairie Road; avenue, streets and gravel roads in section; residential blocks, privately owned property and Metairie Golf Club links. Artist, J. H. Payne, Parish Engineer. Blueprint. Scale not given. 10 x 50.

124. [PRESENT AND PROPOSED ORLEANS-KENNER RAILROAD TRACKS], Sept. 2, 1915. 1 plan.

Plan showing the original line at Kenner, Louisiana, and the line used by railroad; location of present track and pole line to be shifted to provide right of way for proposed road for vehicular traffic, streets and property lines in area affected, and lot numbers. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale not given. 9 x 34.

125. MAP OF PROPOSED LAYOUT ORLEANS-KENNER RAILROAD TRACK [New Brooklyn Ave.], Jan. 12, 1926. 1 map.

Diagram of proposed tracks, showing existing tracks and contemplated re-routing, location of power line poles, Brooklyn Avenue, Claiborne Street, and adjacent lots. Artist, D. F. L. Blueprint. Scale 1" equals 20'. 19 x 34.

126. PLAN OF SUGGESTED ROUTE OF THE O[rleans] K[enner] LINE THROUGH THE METAIRIE NURSERY PROPERTY, METAIRIE RIDGE ROAD, n. d. 1 plan.

Plan showing suggested right of way through privately owned Metairie Ridge Nursery, and adjacent streets, avenues, and Metairie Road. Name of artist not given. Publisher, General Drafting Co., New Orleans, La. Blueprint. Scale not given. 1 x 27.

127. SKETCH SHOWING PROPOSED TRESTLE UNDERPASS OF O[rleans] K[enner] CROSSING AT PROTECTION LEVEE, Jan. 29, 1927. 1 sketch.

Sketch of side elevation and longitudinal section of trestle, showing specifications for piling, caps, sways, stringers, guard rails and mud sills; earth fill, ground elevation and top of rail. Artist, G. F. B. Blueprint. Scale 3/8" equals 1'. 16 x 22.

128. PLAN OF SEWERAGE AND WATER BOARD SWITCH TRACK PROTECTION LEVEE, Sept. 4, 1926. 1 plan.

Plan showing proposed track for hauling fill from New Orleans Water Purification Plant to property of the Texas Oil Company in Jefferson Parish; also showing section through levee, and track crossing Jefferson Street on insert plan. Name of artist not given. Blueprint. Scale 1" equals 100'. 25 x 36.

129. MAP OF MCDONOGHVILLE NO. 1, n. d. 1 map.

Portion of map for railroad yards, showing location of roundhouse and stalls, machine shop, store room, power house, water tank, fuel oil tank, repair shed, material yards, route of train yard tracks, drill tracks and boat leads, and banana car cleaning and racking tracks; adjacent streets, Mississippi River, wood and concrete revetment. Name of artist not given. Blueprint. Scale not given. 23 x 55.

130. PLAN OF CRESMONT PARK SHOWING WATER-PIPE LINES [Jefferson Parish], July 6, 1923. 1 plan.

Plan showing main water lines and hydrants; blocks, block letters and dimensions, streets, Metairie Road, New Orleans Terminal railroad tracks, and adjacent school, parkways and drives. Artist, Alfred F. Theard, Civil Engineer. Publisher, Guaranty Investment Co., New Orleans, La. Blueprint. Scale 1" equals 200'. 9 x 17.

131. MAP OF METAIRIE RIDGE SHOWING PROPOSED STREET LIGHTING SYSTEM, n. d. 1 map.

Map showing proposed locations for street lights, industrial and residential sections, subdivisions, squares, lots, avenues, streets, highways and canals; Metairie Golf Course and United States Government Rifle Range. Name of artist not given. Publisher, Louisiana Power and Light Co. Published at Algiers, La. Black on white. Scale 1" equals 300'. 33 x 60.

132. PLAN OF [Cumberland Telephone Company] U[nder] G[round] CONDUIT CONSTRUCTION ON METAIRIE ROAD. NEW ORLEANS-CEDAR [Exchange], Jan. 14, 1925. 1 plan.

Plans and specifications for conduit construction, showing Metairie Road, Gruner Avenue, and LaBarre Road as location of underground conduit, adjacent Metairie Lawn Drive and Park; specifications for conduit and man-holes, frames and covers. Name of artist not given. Blueprint. Scale not given. 11 x 16.

133. PLAN OF MARRERO SHOWING WATER SYSTEM TO HOPE HAVEN, Nov. 7, 1924. 1 plan.

Plan showing pipe line carrying water from Mississippi River to pump house at Marrero, thence along Barataria Road to institution for boys at Hope Haven, Louisiana. Texas Oil Company warehouse and pontoon, ferry pontoon, ferry house, Pitre's Lumber Yard, cottages and bank are shown at Marrero; diagram of institution buildings is shown at Hope Haven. Also shown are Barataria Road, roads to Harvey, Gretna and Westwego, railroad tracks and Texas Oil Company properties. Section of pump house is shown on insert and also section of road showing location of pipe. Artist, Wm. R. Burk. Blueprint. Scale 1" equals 200'. 17 x 38.

134. MAP SHOWING PROPOSED TRANSMISSION LINE ON UPPER PROTECTION LEVEE, n. d. 1 map.

Map of territory to be traversed by proposed line, showing Orleans and Jefferson Parish lines, street in section, adjacent railroad and road, and profile of levee. Name of artist not given. Publisher, New Orleans Sewerage and Water Board, New Orleans, La. Blueprint. Scale not given. 24 x 36.

135. MAP OF WATER ROUTE IN JEFFERSON PARISH, Dec. 9, 1922. 1 map.

Map of section of parish lying between Orleans-Jefferson Parish line at Protection Levee, Severn Avenue, Metairie Road and Mississippi River, showing tracts, blocks, streets, avenues, public roads, railroad tracks and drainage canals in area, and showing in red the first route for water mains to be installed in Jefferson Parish by M. D. Kostmayer under

the provisions of franchise granted him by the police jury. Artist, A. T. Dusenburg, Engineer. Blueprint. Scale not given. 25 x 26.

Industrial Plants, Pipe Lines, and Oil Tanks

136. PLAN OF AMERICAN COTTON OIL CO., GRETTA REFINERY, Oct. 23, 1917. 1 plan.

Plan of underground pipe line, showing on side view, sections of pipe line with valves, revetment pile, sheet piling, wharf piles, tie piles, crown of levee, slope, ground level, earth now in place, refill, concrete pipe casement, and omit valve pump; and showing on end view, inside dimensions of pipe, specifications for concrete casement, and over all measurements. Name of artist not given. Blueprint. Scale 1/4" equals 1'. 10 x 27.

137. SKETCH OF STORAGE TANK, BABCOCK REF[ining] CO., May 25, 1931. 1 sketch.

Sketch showing proposed installation of horizontal storage tanks on property of the Illinois Central-Yazoo and Mississippi Valley Railroad in Jefferson Parish, with notation as to which tanks are to be immediately installed and the numbers of tanks in which lubricating oils are to be stored, and numbers of those to be used for gasoline storage only. Artist, Payne Engineering Co. Blueprint. Scale 1" equals 50'. 9 x 26.

138. PLAN OF PROPOSED TRESTLE OVER PUBLIC ROAD [for 10" Pipe Line], April 4, 1924. 1 plan.

Plan for overhead tramway of W. H. Barber Company at Marrero, Louisiana, showing batture, trestle foundation and elevation. Name of artist not given. Blueprint. Scale not given. 8 x 19.

139. PLAN BY AVONDALE PLANTATION, Aug. 4, 1914. 1 plan.

Plan of plantation and the oil tanks of the International Storage and Warehouse Company, showing location of plantation buildings, location of tanks, railroad tracks, Avondale railroad junction, Mississippi River, train ferry, and public road. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1/10" equals 1000'. 10 x 15.

140. PLANS OF WATER SUPPLY RESERVOIR & PUMP WELL [The Celotex Co., N. O., La.], Feb. 28, 1923. 2 plans.

Plans for water supply reservoir and pump well on company property between Marrero and Westwego, showing unit locations, Mississippi River, batture, railroad tracks, public road and Dugue Canal. Name of artist not given. Published at New Orleans, La. Blueprint. Scale 1/16", 3/8", 1/2" equals 1 ft. 8 x 24.

141. [Plan of] COONEY PETROLEUM [Co. Plant on Jefferson Highway], Jan. 8, 1934. 1 plan.

Diagram of proposed plant, showing boundaries, property line, location of plant and office building, boiler room, tanks, spur track and adjacent canal. Name of artist not given. Blueprint. Scale 1" equals 30'. 13 x 28.

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142. PLAN IN DETAILS OF TRUSS FOR FRIEBURG L[um] B[er] Co., June 20, 1916. 1 plan.
Truss plan, showing pilings, caps, bolts, end mill, levee reinforcement, levee, Mississippi River, and public road. Hand-drawn. Scale 7-1/4" equals 1'. 18 x 41.

143. PLAN OF GULF REFINING CO. FOR GASOLINE & OTHER OIL TANKS, Feb. 16, 1927. 1 plan.
Plan of portion of ground situated in New Carrollton, Jefferson Parish, and composed of all of square 47, and portions of squares 46 and 52, bounded by Dakin Street in Colonial Land Company property, Orleans-Jefferson Parish line, Jefferson Highway and Yazoo and Mississippi Valley Railroad tracks, showing proposed location of tanks and spur track in square 52; also showing adjacent Upperline or Protection Street, and tracks of Orleans-Kenner Railroad. Artist, R. P. Rordam, C. E. Publisher, Gulf Refining Company, New Orleans, La. Blueprint. Scale 1" equals 50'. 13 x 22.

144. SKETCH SHOWING INSTALLATION OF PUMP HOUSE AND 30' BY 8' UNDERGROUND GASOLINE TANK BY THE JEFFERSON OIL CO., INC. AT SOUTHPORT, PARISH OF JEFFERSON, Oct. 17, 1932. 1 sketch.
Sketch showing proposed location of company building, pipe line, underground tank, pump house, spur track and private road. Letter from company to Jefferson Parish Oil Commission requesting permission to install tank and pump house is attached. Artist, J. H. Payne, Parish Engineer. Hand-drawn. Scale not given. 11 x 12.

145. PLAN FOR PROPOSED GAS REGULATOR STATION, Feb. 10, 1936. 2 plans.
Location plan of proposed Louisiana Light and Power Company station at Seventeenth Street canal and Metairie Ridge Road, showing property lines, gas line, surface line and adjacent street, avenue, canal road, street car line and Eastman Park. Artist, A. R. Crockett. Publisher, Louisiana Power and Light Co., Algiers, La. Shaded. Scale 1" equals 50'. 15 x 34.

146. PLANS OF LUBRICATING OIL TANKS, WARD SEVEN, Feb. 28, 1925. 3 plans.
Plans in triplicate, made at the request of Lucas E. Moore Company, showing location of oil tanks, pump house and oil company building, adjacent levees, Jefferson Highway and Orleans-Kenner railroad tracks. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1" equals 300'. 17 x 26.

147. SKETCH, LUCAS E. MOORE CO., TO ERECT 2 LUBRICATING OIL TANKS, June 30, 1925. 1 sketch.
Sketch showing present and additional location for lubricating oil tanks; also showing oil company frame building, pump house, Jefferson Highway, present fences, switch track, Louisiana Railway and Navigation Company main line, Orleans-Kenner Railroad car line, and specifications of present and proposed tanks and levees around them. Section view of tanks and levee shows measurements for both, capacity of tanks, and timber foundation. Artist, H. L. Zander Parish Engineer. Black

(147-154)

on white tracing paper. Scale 1/8" equals 1'. 17 x 26.

148. MAP OF PROPERTY OF MRS. GRUNER [Showing Location of Metairie Ridge Ice Co., Inc. Property], May 25, 1922. 1 map.
Map, showing boundaries of property, numbers and dimensions of lots, adjacent roads, railroad tracks, and Metairie Bayou, and portion of property set aside for ice plant. Artist, Alf. C. Bonnabel, Parish Surveyor. Blueprint. Scale 1" equals 50'. 13 x 39.

149. PLAN OF MEXICAN PETROLEUM CORP. OF LOUISIANA, June 18, 1919. 1 plan.
Diagram of company plant, showing Mississippi River, protection levee, loading wharf, loading rack, pipe line, oil storage tank, boiler and pump room, location of proposed future tanks, Illinois Central and Louisiana Railway and Navigation Company tracks, and adjacent squares and streets. Name of artist not given. Blueprint. Scale not given. 15 x 37.

150. PLAN OF LAYOUT OF TANKS OCEANIC OIL CO., NEW ORLEANS, LA., Feb. 4, 1920. 1 plan.
Layout showing location of tanks and levees. Artist, James W. Billingsley, Engineer. Published at New Orleans, La. Blueprint. Scale 1" equals 200'. 21 x 36.

151. PLAN OF POWDER-HOUSE CONSTRUCTION, Nov. 3, 1909. 1 plan.
Plan of powder magazine; showing front and longitudinal elevations, layout of foundation, chain wall, concrete wall, iron roof, iron cover, protection pond, lift bridge and pulley, lock and chain. Artist, H. L. Zander, Parish Engineer. Blueprint. Scale 1/4" equals 1'. 19 x 30.

152. PLAN OF SHREVEPORT OIL REFINING CO., Nov. 19, 1928. 1 plan.
Plan of company plant, showing property lines, location of tanks, their capacity and dimensions; stills, cracking unit, topping unit, water treating plant, steam boilers, air compression, work pumps, and water storage reservoirs. Name of artist not given. Blueprint. Scale 1/16" equals 1'. 35 x 40.

153. PLAN OF SHREVEPORT OIL REFINERY, 7TH WARD [Jefferson Parish], Dec. 12, 1928. 1 plan.
Diagram of proposed company plant, showing property line, location of tanks, and capacity of each; stills, towers, condenser box, treating plant, topping unit and cracking unit. Name of artist not given. Blueprint. Scale 1/16" equals 1'. 39 x 50.

154. PLAN [of] PROPERTY OF SOUTHERN COTTON OIL CO. [Gretna, La.], Nov. 7, 1901. 1 plan.
Diagram of company plant, showing underground hydrant system, and location of cotton house, lint room, press room, refinery and annex, oil storage tanks, loading platform, railroad tracks; lard plant, cold storage, barrel shed; office, car shed, superintendent's residence and river levee. Artist, C. E. Snypp, Parish Engineer. Blueprint. Scale 1" equals 60'. 17 x 25.

open to public inspection.(7) The following year (1826), however, the general assembly declared that the parish judge was not bound to keep the last two registers mentioned above, provided that he kept open to public inspection the mortgage and donation registers.(8) The civil code, in a title dealing with partnerships, declared also that the officer authorized to record mortgages, "shall keep a separate book for the purpose of recording acts of partnership."(9)

In 1839, all notaries, except those in Orleans Parish, were required to deposit their acts with the parish judge of their respective parishes within twenty days at the farthest from the execution of such acts. These were to be filed by the parish judge and recorded in the proper record books.(10)

In 1840, the office of "Register of Mortgages" was created for the parish of Jefferson, and the person appointed thereto by the governor (with the advice and consent of the senate) was required to post bond in the sum of \$10,000 with the parish judge. His term was fixed at two years, and his duties were to be the same as those imposed on the parish judge acting as recorder of mortgages. As soon as such register was appointed, the parish judge was bound to turn over to him all the books, records, titles, and papers relating to mortgages.(11)

Three years later the register of mortgages was authorized to appoint a deputy, for whose official conduct he and his sureties were to be held responsible. The deputy's duties were to be the same as those of the register.(12)

The parish judge, as recorder of conveyances and other acts, was authorized, in 1842, to register deeds of conveyances by making abstracts of the same in the identical manner as the register of conveyances of Orleans.(13)

Following the adoption of the Constitution of 1845 in which no provision had been made for a parish judge, the general assembly created the office of "Recorder" and continued the office of "Recorder of Mortgages" for Jefferson Parish.(14) Candidates to both offices, in order to qualify, had to be voters of the parish, and when elected,

7. C. C. arts. 3354.	the immovable property and
8. La. A., 1826, p. 162.	slaves which had been transferred,
9. C. C., art. 2819.	with all necessary details; the price paid, and whether paid in cash or on terms. In the latter case what the terms and conditions are. Acts of transfer under private signature were to be recorded in full. Cf. La. A., 1827, p. 136, secs. 2, 3.
10. La. A., 1839, #62, sec. 1.	
11. La. A., 1840, #86.	
12. La. A., 1843, #121.	
13. La. A., 1842, #30, sec. 3.	
Such abstracts were to set forth the date of the act and the place where it was passed; the full names and status of the contracting parties; a description of	
14. La. A., 1846, #104, #112.	

held office for a term of four years.(15) Before entering upon the duties of their respective offices the "Recorder" and "Recorder of Mortgages" were required to take the oath of office and post bond, with two solvent sureties, in favor of the state, for \$5,000 and \$20,000 respectively.(16) In 1855, however, the office of "Recorder of Mortgages" was abolished and his function delegated to the "Recorder".(17)

Vacancies in the office of Recorder occasioned by the death or any other cause, were filled by special election ordered by the sheriff after fifteen days notice.(18) In the interim, the district judge was authorized to appoint a recorder to take charge of the office.(19) By an act of 1868, the governor was authorized to fill vacancies in this office, with the advice and consent of the senate.(20)

The Recorder, like the Register of Mortgages, was empowered to appoint a deputy shortly after the office was established,(21) but after 1860 he could make no such appointment unless he first obtained a written consent from his sureties, extending his liability to the acts of the deputy.(22) The deputy was vested with all the powers of the recorder so far as to make and certify copies of acts and records in the office, to receive bonds, and after the mortgage office was merged with the recorder's, to grant certificates of mortgage.(23)

The recorder was required to keep his office in a room appropriated for that purpose at the seat of justice,(24) and except for legal holidays, keep his office open from 10 A. M. to 12 M. and from 2 P. M. to 4 P. M.(25)

After the city of Lafayette (in Jefferson Parish) had been annexed to New Orleans, the Recorder of Mortgages and the Parish Recorder were ordered to make a transcript of the mortgage and conveyance records affecting real estate or slaves situated within the limits of the former city, and deliver said transcripts to the Recorder of Mortgages and Register of Conveyances of the city of New Orleans.(26) The following year the general assembly amended the latter act and authorized

15. Idem.	1865, E. S., #6; Rev. Stat., secs. 3072-3075.
16. La. A., 1846, #104, sec. 7; #112.	23. La. A., 1848, #119, sec. 1; <u>ibid.</u> , 1855, #318, sec. 8; <u>ibid.</u> , 1860, #45, sec. 3; <u>ibid.</u> , 1865, E. S., #6, sec. 3; Rev. Stat., sec. 3074.
17. La. A., 1855, #318, secs. 1, 2.	24. La. A., 1846, #104, sec. 6; <u>ibid.</u> , 1855, #318, sec. 7; <u>ibid.</u> , 1864-65, #53, sec. 7; Rev. Stat., sec. 3071.
18. La. A., 1850, #339; <u>ibid.</u> , 1855, #318, sec. 10; <u>ibid.</u> , 1864-65, #53, sec. 10.	25. La. A., 1848, #119, sec. 2; <u>ibid.</u> , 1855, #318, sec. 9; <u>ibid.</u> , 1864-65, #53, sec. 9; Rev. Stat., sec. 3076.
19. La. A., 1853, #194, <u>ibid.</u> , 1855, #318, sec. 12; <u>ibid.</u> , 1864-65, #53, sec. 12; Rev. Stat., sec. 3079.	26. La. A., 1853, #337, sec. 1.
20. La. A., 1868, #27, sec. 1; Rev. Stat., sec. 3077.	
21. La. A., 1848, #119, sec. 1; <u>ibid.</u> , 1855, #318, sec. 8.	
22. La. A., 1860, #45; <u>ibid.</u> ,	

a "synopsis" to be made instead of a transcript.(27)

The recorder was granted all the powers vested in notaries public, and in addition was declared to be a register of conveyances, marriage contracts, marks and brands, and, after 1855, recorder of mortgages.(28) It was his duty to endorse all acts with the time of reception, and to record them in the order received.(29) The acts deposited with him formed a part of the archives of his office, and were recorded as follows: if the act contained a conveyance of real estate or slaves, it was recorded in a book of conveyances; if it contained a conveyance with a mortgage, in the book of conveyances and also in the book of mortgages. All acts required by law to be recorded, except those mentioned, were to be recorded in accordance with laws already in force. Those for which no provision had been made by law were to be recorded in a book of miscellaneous acts.(30)

In 1869 the general assembly passed a law to protect the rights of married women to their dotal and paraphernal property, and provided for the recording of all mortgages and privileges. To do away with the necessity of keeping separate mortgage books for different types or mortgages, the law further provided that all mortgages and privileges were to be recorded in the same book or series of books.(31)

The indexing of the records in the office of the recorder was apparently left to the discretion of each incumbent until 1867. In that year the general assembly provided that the recorder keep a well-bound double index for each of the required records of his office. Each index was to be divided into two parts, in one of which the names of all parties of the first part were to be entered in the order of dates; and in the other, the names of all parties of the second part, entered in the same manner, giving the page number of the book in which each act was recorded, and the file number of the act if it remained on file in his office. If no such indexes were made prior to the passage of the act, they were to be made and completed within one year. Any recorder who failed to comply with this act was subject to a fine of \$500.(32)

The recorder was declared to be a notary public, and his powers and duties in this capacity were fully outlined in 1855. He was authorized to make inventories, appraisements, partitions, matrimonial contracts, conveyances, protests, and generally all contracts and instruments

27. La. A., 1854, #101, sec. 1.	ibid., 1864-65, #53, sec. 13.
28. La. A., 1846, #104; <u>ibid.</u> , 1855, #318, sec. 2; <u>ibid.</u> , 1864-65, #53, sec. 2; <u>Rev. Stat.</u> , sec. 3066.	The Revised Statutes, however, while it provides for the mortgage and conveyance records, makes no mention of the book of miscellaneous acts. Cf. sec. 3080 et al.
29. La. A., 1853, #151, sec. 3; <u>ibid.</u> , 1855, #318, sec. 14; <u>ibid.</u> , 1864-65, #53, sec. 14; <u>Rev. Stat.</u> , sec. 3081.	31. La. A., 1869, #95; <u>Rev. Stat.</u> , sec. 3094.
30. La. A., 1853, #151, sec. 2; <u>ibid.</u> , 1855, #318, sec. 13;	32. La. A., 1867, #170; <u>Rev. Stat.</u> , secs. 3083-3085.

of writing. He could receive wills, hold family meetings and meetings of creditors, administer oaths in all cases connected with the discharge of his duties, affix seals upon the effects of deceased persons, and remove them.(33) It was his duty to procure an official seal, and to attach the same to all acts and certificates granted by him.(34)

One important function delegated to the recorder (in 1847) was that of executing the bonds of tax collectors and of all state and parish officials except the state treasurer and auditor of public accounts. Such bonds were ordered recorded in a separate book kept for that purpose.(35) After 1855, however, all official bonds, except those given by the state treasurer, auditor of public accounts, clerk of court, and recorder, had to be accepted by the recorder, clerk of court, and the president of the police jury.(36)

The recorder's office could also be classified as the parish archives in which multifarious documents and certificates were filed. These included an authenticated copy of the oath taken by the assessor whenever that officer was about to take a census, as well as an authenticated copy of the census returns.(37) It was his duty to procure from the United States and state land offices, and to file in his office, correct abstracts of all lands lying in his parish which had been disposed of.(38) Whenever an official survey was made, fixing and marking the boundary lines between his parish and adjoining parishes, the returns of such survey were to be filed in his office.(39) In 1858, the legislature provided that all property plans of lands located in Jefferson Parish, intended for reference in making of conveyances, as well as certified copies of original plan heretofore made of lands situated in said parish, and which may have been deposited in New Orleans or elsewhere, were to be deposited in the office of the recorder.(40)

Various laws during this period (1846-1879) provided for the recordation of specific acts in the recorder's office. These included the annual bond required by the police jury from lessees of public ferries,(41) the bond of the parish treasurer as school treasurer;(42) the bonds of tutors and certificates of minors' property;(43) the bonds of curators or

33. La. A., 1855, #318, sec. 2; <u>ibid.</u> , 1864-65, #53, sec. 3; <u>Rev. Stat.</u> , sec. 3066.	#291.
34. La. A., 1855, #318, sec. 3; <u>ibid.</u> , 1864-65, #53, sec. 3; <u>Rev. Stat.</u> , sec. 3067.	38. La. A., 1855, #128; <u>ibid.</u> , 1864-65, #53, secs. 16-18; <u>Rev. Stat.</u> , sec. 3149.
35. La. A., 1847, #149; <u>ibid.</u> , 1852, #281.	39. La. A., 1855, #40, sec. 2.
36. La. A., 1855, #92, <u>ibid.</u> , 1868, #17; <u>Rev. Stat.</u> , sec. 3127; La. A., 1877, #11.	40. La. A., 1858, #226.
37. La. A., 1847, #145; <u>ibid.</u> , 1853, #114; <u>ibid.</u> , 1858,	41. La. A., 1852, #70, sec. 1.
	42. La. A., 1853, #250, sec. 12.
	43. La. A., 1855, #253, sec. 6; <u>ibid.</u> , 1869, #95, sec. 2; <u>Rev. Stat.</u> , sec. 3087; <u>Rev. C. C.</u> , art. 3351.

representatives of interdicted or absentee persons;(44) the abstracts of inventories of property of minors whose tutors had not been required to give bond;(45) and acts of incorporation together with the opinion of the district attorney regarding their legality.(46)

In 1852 the legislature exempted the homestead of a householder from seizures and sale on execution, provided an accurate description of such property was recorded in the office of the recorder of mortgages who was required to record the same in a book to be known as the "Homestead Exemption book."(47) In 1861, the recorder was required to keep a separate record for affidavits of persons who wished to practice medicine.(48)

In 1870, when certain portions of Jefferson Parish were annexed to the parish of Orleans, the recorder was directed to make true transcripts of all mortgages, donations, marriage contracts, privileges or other encumbrances affecting property which had been incorporated within Orleans Parish, and deliver these to the recorder of mortgages of Orleans Parish. He was also directed to make transcripts of conveyances for delivery to the register of conveyances, and in addition transfer certain notarial records and acts to the notarial archives in Orleans Parish.(49)

The recorder fulfilled several ex officio functions. As a reviewer of assessments he received three copies of the assessment rolls from the assessor, and for thirty days thereafter heard and determined the validity of objections, and made the necessary corrections on the roll. At the expiration of this time, he made the proportional division of state and parish taxes in each of the three copies of the roll, and retained one as part of the records of his office.(50) He also filled by appointment any vacancies that occurred in the office of assessor.(51) He was the keeper of a set of weights and measures for the use of the sealer of weights and measures.(52) For a short time he was a member on the committee who formed the list and drew the names of persons for jury service.(53) Whenever the clerk of the district court was a party to a marriage, the recorder was authorized to issue the marriage

44. La. A., 1855, #253, sec. 6; ibid., 1869, #95, sec. 3; Rev. Stat., sec. 3088; Rev. C. C., art. 3354.	46. La. A., 1855, #132; Rev. Stat., sec. 677; La. A., 1878, #45.
45. The abstracts were to be made out by the clerk of court and deposited with the recorder before Dec. 1, 1869, and re- corded in the mortgage books by Jan. 1, 1870. This applied only to tutorships granted be- fore the passage of the law. La. A., 1869, #95, sec. 11; ibid., 1870, #75, Rev. Stat.,	47. La. A., 1852, #324. 48. La. A., 1861, #153, sec. 2; Rev. Stat., sec. 2678. 49. La. A., 1870, #48. 50. See Tax Assessor, infra. 51. La. A., 1847, #224, sec. 38; ibid., 1850, #194, sec. 34. 52. La. A., 1855, #297, sec. 5; Rev. Stat., sec. 3916. 53. La. A., 1855, #297, sec. 5; ibid., 1857, #183.

license.(54)

In 1879, the clerk of court was declared ex officio recorder of conveyances, mortgages, and other acts, and notary public.(55) Since the office has been merged with that of the clerk of court, certain acts have been ordered recorded in separate books. These include privileges and pledges;(56) chattel mortgages;(57) charters;(58) mortgages liquidated under an amortization plan;(59) all proceedings affecting any drainage or sub-drainage district;(60) and mortgages securing the payment of bonds, notes, or other obligations.(61) For all these records indexes must be provided.(62)

The recordation of different types of acts among the records of the ex officio recorder have been provided for by law. These include the bond of the parish treasurer.(63) bonds of contractors;(64) contracts for \$1,000 or more;(65) acts of transfer of automobiles;(66) police jury resolutions authorizing the issuance of certificates for purchase of land or rights of way for navigation canals;(67) tax liens

54. La. A., 1847, #50, sec. 1; ibid., 1855, #251; Rev. Stat., sec. 3144.	58. La. A., 1912, #238. Prior to 1912 acts of incorpora- tion, together with the opinion of the district at- torney as to their legality were ordered recorded al- though no particular record in which they were to be recorded was specified. See La. A., 1855, #132; Rev. Stat., sec. 677; La. A., 1878, #45. For acts rela- tive to the recording of acts of incorporation of banks domiciled in the par- ish, see La. A., 1855, #166; Rev. Stat., sec. 278 as amended by La. A., 1898, #37.
55. Const., 1879, art. 121; Const., 1898, art. 122; Const., 1913, art. 122; Const., 1921, art. VII, sec. 66.	59. La. A., 1917, E. S., #23. 60. La. A., 1920, #142; ibid., 1921, E. S., #85, secs. 13, 31. This record is known as the Book of Drainage Records.
56. La. A., 1890, #51, sec. 1. Since 1934 only abstracts of crop pledges needed be recorded. Cf. La. A., 1934, #114, sec. 1.	61. La. A., 1924, #50. 62. See footnotes 56-61. 63. La. A., 1898, #177. 64. La. A., 1912, #167. 65. La. A., 1906, #134. 66. La. A., 1921, E. S., #93. 67. La. A., 1921, E. S., #42, sec. 13.
57. La. A., 1912, #65; ibid., 1918, #198, sec. 6. The chattel mortgage was crea- ted in 1912, previously such mortgage was not recognized in Louisiana. Cf. Delop & Co., vs. Windsor & Randolph, "As a chattel mortgage in un- known to our law it cannot be enforced in the state", 26 La. Ann. 185(1874). Cf. al- so Hughes, Hyllestead, & Co., vs. Klingender Brothers, 14 Ann. 845; Succession of Bro- derick, 12 La. Ann., 521; Franklin vs. Warfield's Syn- dic, 8 Mart. (N. S.) 441; and Challe case, 31. La. Ann. 594 (1879).	

in favor of the United States;(68) all decrees of a Federal court affecting property in the parish;(69) bonds of persons carrying passengers in airplanes;(70) the proces verbal of surveys approved by the state land office;(71) and statements from the supervisor of public accounts which contain lists of license taxes due.(72) He records certificates of osteopaths;(73) veterinarians;(74) architects;(75) civil engineers and surveyors;(76) registered nurses;(77) physicians and dentists certificates;(78) and the discharge papers of soldiers, sailors, and marines.(79) He files and records the proces verbal of elections to levy special taxes;(80) registers the names of purchasers of rural mortgage bonds;(81) records the proceedings in regard to the issuance of bonds by parishes or municipalities;(82) and registers the names and addresses of persons designated in business licenses.(83)

The ex officio recorder's office is also a filing office for various parish records such as maps of municipalities;(84) lists of lands purchased for the state;(85) plats of subdivisions;(86) laborers' liens and privileges;(87) lists of delinquent taxpayers;(88) trademarks or devices on seltzer or mineral water bottles;(89) inventories of stocks of jewelry to be sold at auction;(90) contractors' claim bonds;(91) copies of bonds of real estate agents;(92) drilling contracts;(93) and acts of non-trading corporations.(94)

The fees of the recorder for writing original acts, and recording the same; for seal and certificate to every act; for making copies of all official documents; for proving any act under private signature

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| 68. La. A., 1924, #7. | 81. La. A., 1914, #176, sec. 11. |
| 69. La. A., 1916, #135, sec. 1. | 82. La. A., 1916, #96. |
| 70. La. A., 1926, #52, sec. 5. | 83. La. A., 1916, #159. |
| 71. La. A., 1934, #232, sec. 7. | 84. La. A., 1896, #53, <i>ibid.</i> , 1910, #170. |
| 72. La. A., 1935, 2nd E. S., #26, sec. 14. | 85. La. A., 1877, E. S., #96, secs. 59, 60. |
| 73. La. A., 1908, #185, sec. 5; <i>ibid.</i> , 1918, #193. | 86. La. A., 1902, #181. |
| 74. La. A., 1908, #202, secs. 11, 12. | 87. La. A., 1916, #229. |
| 75. La. A., 1910, #231, sec. 7. | 88. La. A., 1898, #170, sec. 51; <i>ibid.</i> , 1928, #235; <i>ibid.</i> , 1932, #194. |
| 76. La. A., 1908, #308, sec. 7; <i>ibid.</i> , 1914, #200, sec. 6. | 89. La. A., 1896, #120. |
| 77. La. A., 1912, #138, sec. 6. | 90. La. A., 1924, #245, sec. 2. |
| 78. La. A., 1914, #56, sec. 9; <i>ibid.</i> , 1928, #253, sec. 12. | 91. La. A., 1926, #246. |
| 79. La. A., 1921, E. S., #104. | 92. La. A., 1928, #269, sec. 2. |
| 80. La. A., 1910, #256, sec. 15. | 93. La. A., 1916, #223. |
| | 94. La. A., 1914, #254, sec. 2. |

and other duties have been fixed by law.(95)

Notaries Public

The importance and quantity of notarial records found in the office of the clerk of court and ex officio recorder in each parish requires a brief discussion of the history and development of the notarial office.

In Louisiana, where the Roman civil law is the basis of jurisprudence, (1) notaries are important officials with extraordinary powers and authority. The primary function of the notary is to attest the genuineness of any deeds or writings in order to render them as evidence of the facts therein contained. He is authorized to receive all acts and contracts to which the parties wish to give the character of authenticity attached to an act of public authority, to secure their dates, their preservation, and the delivery of copies.(2) The courts of justice are relieved, because of the duties performed by these officers, from a large mass of business, which would otherwise impede and embarrass their ordinary proceedings.(3) The functions and authority of notaries are defined by law, but such definition has been held to be not exclusivo.(4) Notaries can only exercise their functions in the parish for which they are appointed.(5)

The difference in so many respects between the notaries of Louisiana and those of other American states is doubtless attributed to the fact that the early colonists brought with them the jurisprudence of France and the consequent introductions of French usages in civil law, especially those parts relating to notaries.(6)

For the period 1699-1712, nothing has been found to indicate that

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| 95. Or. Terr. A., 1810, XXV, sec. 5; La. A., 1855, #122, sec. 19; Rev. Stat., sec. 3143; La. A., 1870, #101, secs. 10, 11; <i>ibid.</i> , 1898, #203, sec. 6, 7; <i>ibid.</i> , 1936, #334. See also Or. Terr. A., 1811, XX, sec. 8; La. A., 1855, #48, sec. 12 relating to fees for recording births and deaths. For fees for each delinquent tax list he made out, see La. A., 1852, #276, sec. 9; <i>ibid.</i> , 1870, E. S., #68, sec. 71; <i>ibid.</i> , 1871, #42, sec. 73. See essay on clerk of court for a full treatment of fees and salary. | 1. Ferdinand Mackeldy, <i>Compendium of Modern Civil Law</i> , 2 vols. New York, 1845, I, sec. 1; James Kent, <i>Commentaries on American Law</i> , 2 vols., Boston, 1873, I, p. 515. |
| | 2. Nolan vs. Labatut, 41 So. 713; Brown vs. Schmidt, 7 La. Ann., 349. |
| | 3. Tote's Succession, 7 La. Ann., 95, 96. |
| | 4. Stock vs. American Surety Co., 109 La. Ann., 713; 33 So. 742. |
| | 5. La. A., 1855, #261, sec. 2; Rev. Stat., secs. 2491, 2492. |
| | 6. William H. Seymour, in <i>Times-Democrat</i> , Nov. 25, 1901; Jean Bechefer, <i>La Biblioteque, ou Tresor du Droit Francois</i> , 2 vols. Paris, 1671, II, p. 811. |

there was any officer in Louisiana commissioned as clerk or notary to the government. It may be assumed that when occasion arose requiring the execution of writings or documents that this service was performed by the commander of the then existing military outpost, previous to the accession of Bienville. After this the commander and the holder of the newly-created civil office, called a commissaire, acted together or separately.(7)

The Custom of Paris, which became the cornerstone of civil law in Louisiana, together with the edicts of the realm were made applicable to that colony upon the creation of civil government in 1712.(8) In that year the Superior Council of Louisiana was created by edict of the king,(9) and the first notarial appointment was made in December, when a clerk, who ex officio exercised the notarial function, was named for that body. Later the title of royal notary was conferred upon this officer.(10) He was the official notary for the colony. Originally the office of clerk and notary was bought, the purchaser holding it for life; it was not assignable.(11)

In the French military outposts the commandant functioned as notary,(12) and in posts which were proprietary and not purely military, there was usually a notary public.(13)

To understand the rights, powers, and duties of notaries in French Colonial Louisiana, it is necessary to go back to the mother country. Minutes or records of acts were the stock in trade of French notaries and were established as their property by a decree of the parliament (court) of Paris, dated June 27, 1716. These could be transmitted to their heirs, who could enjoy two thirds of the emoluments derived from the making of copies during the period of ten years.(14) This privilege, however, was denied colonial notaries by a decree of the king, dated August 2, 1717, which required them to bind their acts into volumes by years, and preserve them during their lives. After their death, they were delivered to the clerk of the Superior

7. H. P. Dart, "A lawsuit over the right to sell the Office of Notary in Louisiana during the French Regime", in <u>La. Hist. Q.</u> , XVI, p. 587.	11. H. P. Dart, "Courts and Law in Colonial Louisiana", in <u>La. Hist. Q.</u> , IV, p. 255.
8. This occurred in connection with the transfer of the colony to Crozat. H. P. Dart, "The Place of Civil Law in Louisiana," in <u>Tulane Law Review</u> , IV, pp. 163-177.	12. H. P. Dart, "Marriage Contracts of French Colonial Louisiana," in <u>La. Hist. Q.</u> , XVII, p. 229.
9. H. P. Dart, "A Criminal Trial Before the Superior Council", in <u>La. Hist. Q.</u> , XIII, pp. 368-390.	13. Seymour, <u>loc. cit.</u>
10. H. P. Dart, "The Legal Insti-	14. "The Petition of Broutin against Chantalou, from the Records of the Superior Council, 1763", in <u>La. Hist. Q.</u> , XVI, pp. 590-592.

Council.(15)

The transfer of the colony to the Company of the West in 1717, did not result in any change in the notarial system of the province.(16) In 1723 the province was divided, by the commissioners of the company, into nine districts, and a commandant and judge were to be appointed for each.(17) In some cases the same person held both offices. The incapacity of many of the persons who were thus appointed, especially in the different posts, joined to the impossibility of finding suitable persons, caused in many instances the omission of the formalities imposed by law. This resulted in great inconvenience to the Superior Council. It was therefore declared, on March 13, 1748, that any instrument or inventory made in any of the posts of the province in which there was no public officer, where the legal formalities had been omitted, should be valid, provided there was no fraud. Under similar conditions inventories and other public acts might be made by two of the principal inhabitants, witnessed by two others, and transmitted within one year to the Superior Council in New Orleans for registry.(18)

The nuncupative will, whether by public or private act, could be executed before the parish priest, the judge, or the clerk, and in the absence of these, before three of five inhabitants of the place. These instruments when executed before the priest or the judge, were probated without other formality, since after being executed they were transmitted to the Superior Council archives, and that was considered a filing of the will.(19)

The French colonial notaries relied upon "Le Parfait Notaire", first published in 1635, by Claude de Ferriere, as a textbook. This was a book of forms, and included everything which a notary might use, explaining these with citations and often tracing the history of the Roman Law. A modern edition, embodying the changes of the Napoleonic regime, was issued in 1805, and remained in use in Louisiana long after her entrance into the Union.(20) Since 1897 "A Notarial Guide and Book of forms" by H. H. White, has gained importance as a useful work for the guidance of notaries. Four editions of this volume have been published, (1897, 1907, 1918, and 1924).

In 1769, when Governor O'Reilly abolished the authority of the French laws in the province and substituted those of Spain, there was little change in the status and importance of the notary. Among the Spanish provincial officers there were three notaries and a notary for the customs house. In the courts of the ordinary alcaldes, proceedings

15. H. P. Dart, <u>loc. cit.</u> , XVI, p. 587; W. K. Dart, (trans.) "Ordinance of 1717 Governing Notaries in Louisiana During French Colonial Period", in <u>La. Hist. Q.</u> , X pp. 82-85.	18. Martin, <u>op. cit.</u> , II, p. 14.
16. <u>Idem.</u>	19. H. P. Dart, <u>loc. cit.</u> , IV, p. 255.
17. F. X. Martin, <u>A History of Louisiana from the Earliest Period</u> , 2 vols., New Orleans, 1827-1829, I, p. 247.	20. A. J. Massie, (ed.) <u>Le Nouveau Parfait Notaire</u> , Paris, 1805.

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Clerk of Court as Recorder
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where the amount in dispute exceeded twenty dollars were recorded by one of the notaries. In the country parishes an officer of the army or militia, of no higher grade than captain, was stationed as civil and military commandant, who in addition to his other duties, exercised the function of notary for his district.(21) Lawyers were non-existent in the American sense, but clerks or notaries aided parties in the petitions.(22)

In 1770, Governor Unzaga promulgated an ordinance which required that all sales, exchanges, or alienations of slaves, plantations, and real property be passed before a notary public, under penalties for non-compliance. This order also provided for penalties on notaries for breach of trust.(23) The regulations of Morales, dated July 17th, 1799, placed restrictions on their powers. The notary was not to be allowed to take any acknowledgment or conveyance of land obtained by concession unless the seller presented and delivered to the buyer the title which he had obtained, and the notary was bound to insert in the act the boundaries and other descriptions of the land.(24)

The transfer of Louisiana, first to France, and then to the United States, did not weaken the Spanish laws. Laussat, colonial prefect for the French government, before delivering Louisiana to the United States, sealed up the ancient archives of the colony, and deposited them with the municipal council of New Orleans. Pedro Pedesclaux, a notary of the Spanish regime, appointed to the same office by Governor Claiborne, was given custody of these archives, together with the records then in the possession of other persons who had been notaries under the Spanish, and was authorized to issue copies as need arose. Under this appointment, Pedesclaux may be considered the first custodian of notarial archives, an office well established in our system.(25)

Governor Claiborne, in his proclamation of December 2nd, 1803,

21. Martin, *op. cit.*, p. 237.
22. Dunbar Rowland, *History of Mississippi*, 2 vols., Chicago, 1925, I, p. 292.
23. H. P. Dart, *loc. cit.*, XVI, p. 687.
24. Joseph M. White, *A New Collection of Laws, Chartres, and Local Ordinances*, 2 vols., Philadelphia, 1839, I, p. 179.
25. *Or. Terr. A.*, 1804-5; *ibid.*, 1806, XVII. In 1826 a move was made to preserve these valuable records, which at that time were kept openly in files in the office of Pedesclaux's heir. The legislature ordered the documents to be arranged and stored in cedar boxes. The parish judge

of East Baton Rouge Parish was required to do the same thing with any similar documents that might be found in his office. *La. A.*, 1826, p. 176. In 1860 the records in the possession of the Pedesclaux family were ordered deposited with the state librarian. *La. A.*, 1860, #131. They were eventually turned over to the custodian of notarial archives in New Orleans, and now form a part of the records of his office. *La. A.*, 1860, #131; *ibid.*, 1867, #147; *Rev. Stat.*, secs. 2543-2549; *La. A.*, 1869, #61, *ibid.*, 1870, #15; *ibid.*, 1870, E. S., #48; *Ibid.*, 1898, #176.

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declared that all officers, except those whose powers were vested in himself, or in the person charged with the collection of the revenue, were to continue the exercise of their respective functions.(26) Listed among the officers at this time were three notaries who acted as auctioneers, and whose offices were depositories for law proceedings and deeds, and a notary in the customs house; in the country there was a commandant in every parish.(27)

On March 4, 1805, the province of Louisiana was divided and a territorial government set up in the Territory of Orleans. Many of the notaries who had been commissioned under the Spanish rule continued to function under the new government, and the civil commandant remained in power until replaced by the county judges in 1805.(28)

The first state constitution made no specific provision for notaries as part of the civil government of Louisiana, but the general assembly, in its first session empowered the governor, with the advice and consent of the senate, to appoint any officers not otherwise provided for.(29) The next session of the legislature provided for the appointment of as many notaries public as were deemed necessary, and made their term of office contingent upon good behavior, but gave the supreme court the right to suspend any notary until the next session of the legislature, whenever after a summary inquiry before the court, it appeared that there existed a just cause of reproach against such notary.(30) In addition to this general provision, many special acts have been passed, providing for the appointment of notaries for particular parishes. Two such provisions have been passed for additional notaries for Jefferson Parish. One, created in 1834, was directed to keep his office at the Cheniere Caminada, and all acts passed by him had to be registered at the office of the parish judge in order to be binding upon third persons.(31) Another was created in 1843, and was directed to keep his office and reside within the limits of the city of Lafayette.(32)

The Constitution of 1845 limited the notary's term to four years by providing that "the duration of all offices not fixed by this constitution shall never exceed four years"(33) but the legislature in 1850 declared valid all acts issued after the four year period, and also authorized incumbents to continue in office until such time as their successors were inducted.(34) The four year term was re-affirmed by an act of 1855.(35) In 1867 an attempt was made to make the notarial office a profession, and the term contingent on the renewal of bond every

26. Martin, *op. cit.*, II, p. 237; also *U. S. Stat.*, 1803, Chap. I, sec. 3.
27. Martin, *op. cit.*, II, p. 237.
28. *Or. Terr. A.*, 1804-05, XLIV, sec. 1.
29. *La. A.*, 1812, X.
30. *La. A.*, 1813, p. 136.
31. *La. A.*, 1834, p. 15, sec. 14.
32. *La. A.*, 1843, #47.

33. *Const.*, 1845, art. 96. The term of office of a notary appointed before the adoption of the new Constitution (1845) is limited to four years after its adoption. *State vs. Percy*, *La. Ann.*, vol. 5, p. 282.
34. *La. A.*, 1850, #246.
35. *La. A.*, 1855, #261.

five years, unless the notary was suspended for cause by the courts.(36) This legislation did away with notaries having to be appointed by the governor, and explains why many Louisiana notaries functioning at that time signed themselves, in their official acts, as being "qualified but not commissioned."(37) The Revised Statutes of 1870, however, bases the section covering the appointment of notaries on the legislation of 1861 which gives the governor, with the consent of the senate, the power to appoint as many notaries public in the different parishes of the State, as are deemed necessary.(38)

The qualifications necessary for the notarial office under the Spanish law, (which remained in force after the United States took over) stipulated that notaries be free men, Christians, and of good report; that they ought to write well and be learned in the notarial art; that they should be able to observe secrecy; and that they reside in the places where they officiate as notaries.(39) The Constitution of 1812 denied all clergymen, priests, or teachers of any religious order the right to hold any office (including notarial) of profit or trust in the state.(40) That of 1845 provided that all civil officers must be voters, requiring them to take an oath of allegiance to the United States and the State of Louisiana, and stipulated that they could not hold more than one office of trust or profit.(41) This constitution, as well as the constitution of 1852, also excluded all persons from office who had participated in duels, and required officers, appointed or elected, to swear that they had not been involved in a duel in any manner.(42) Acts of 1824 and 1855 banned aliens from the notarial office.(43) In 1863 the legislature demanded that notaries swear allegiance to the Confederacy,(44) but the Constitution of 1864 revived the proclamation of loyalty to the Union,(45) and legislation of 1868 required affidavits of recantation from those notaries who had functioned under the Confederacy and excluded all who refused to comply.(46)

In 1867 any male citizen of the state was eligible as notary public in and for the parish in which he had resided for five years, upon giving bond, and taking an examination for competency before any judge of the supreme court, or the district court of the state.(47) This still holds true although the governor now issues the commission.(48) The bond, in parishes outside of Orleans, is fixed at \$1,000 and must

36. La. A., 1867, #208.	40. Const., 1812, art. II, sec. 22.
37. Edgar Grima, "The Notarial System in Louisiana," in La. Hist. Q., X, pp. 76, 77.	41. Const., 1845, arts. 95, 126.
38. La. A., 1861, #117; Rev. Stat., sec. 2491.	42. Const., 1845, arts. 89, 130.
39. The Laws of Las Siete Partidas which are still in Force in the State of Louisiana. Translated from the Spanish by L. Moreau Lislet and Henry Carleton, 2 vols., New Orleans, 1820, I, pp. 244-258.	43. La. A., 1824, p. 22; <i>ibid.</i> , 1855, #41.
	44. La. A., 1863, #15.
	45. Const., 1864, art. 90.
	46. Const., 1868, arts. 99, 100; La. A., 1868, #39.
	47. La. A., 1867, #208.
	48. Rev. Stat., secs. 2503-2505; La. A., 1886, #40.

be renewed every five years.(49)

In 1835, the legislature declared that the office of any notary be considered as vacant in the case of the permanent removal of the incumbent from the parish to which he was appointed.(50) Notaries were permitted, in early days, to absent themselves from office only by special legislative authorization,(51) but in 1838 the governor was authorized to grant leave of absence to notaries, not to exceed eight months, provided that they named other notaries to represent them during the period of absence.(52) In 1846 notaries were permitted to volunteer for service in the war and to leave the state, but were required to name a suitable deputy and were held responsible for all of such deputy's acts.(53)

It is presumed that the early American notaries followed the French and Spanish customs and kept the originals of the acts passed before them. In 1839, however, it became their duty to deposit authentic copies of all their acts with the recording officer within twenty days of execution.(54) In 1853 it became the duty of all notaries to deposit the originals of all acts passed before them with the parish recorder within fifteen days after passage.(55) An exception to this rule is that the originals of all acts of inventories or partitions or any other act performed by notaries under any order of court shall, without being recorded, be returned to the court from which the order is issued.(56)

Notaries public outside of Orleans Parish who pass acts of sale and acts of mortgage affecting property situated in Orleans Parish, must, within fifteen days after the execution of such acts, deposit them in the office of custodian of notarial records in the parish of Orleans for filing.(57) Notaries in the city of New Orleans are required to deposit in the office of the clerk of court and recorder of the parish in which the property is situated, the originals of all acts of sale, exchange, donation, and mortgage of immovable property passed before them. Notaries are subject to a penalty for violation of this act.(58)

Action was taken to prevent the loss or concealment of notarial records by the first territorial legislature in 1804, and reiterative acts

49. <i>Idem.</i> Such bond is executed before the clerk of court, and with the certificate of examination filed with the auditor of public accounts. Cf. Rev. Stat., sec. 2504. Failure to file the bond with the auditor may be ground for suspension, but it does not ipso facto vacate the office of notary. <i>Monroe et al. vs. Administrator et al.</i> 47 La. Ann., 155. If the bond is signed by a surety company, it need not be recorded.	50. La. A., 1835, p. 55.
	51. La. A., 1835, p. 19.
	52. La. A., 1838, #91; Rev. Stat., sec. 2500.
	53. La. A., 1846, #184.
	54. La. A., 1839, #62.
	55. La. A., 1853, #151; <i>ibid.</i> , 1855, #261, sec. 12; Rev. Stat., sec. 2501, 2502.
	56. La. A., 1890, #48 to amend art. 2251 of the Rev. C. C.
	57. La. A., 1926, #135.
	58. La. A., 1912, #233.

have been passed many times since.(59)

The duties and powers of notaries public were defined generally by an act of 1855 which reiterated most of the previous legislation relating to these officers. They were empowered to make inventories, appraisements, partitions, to receive wills, make protests, matrimonial contracts, conveyances, and generally all contracts and instruments of writing; to receive acknowledgments of instruments under private signature; to affix the seals upon the effects of deceased persons; and to raise the same. All acts executed by them in conformity with the provisions of the Civil Code (art. 2231 relative to authentic acts) are recognized as authentic acts.(60)

They have the right to administer oaths quo ad the duties of their office(61) and such oaths as were needed to enable free white citizens of the United States to procure protection certificates from the customs officials.(62)

Notaries are forbidden to pass acts of sale, transfer, or exchange of any real estate unless the state, parish, and municipal taxes due on the same are paid for three years next preceding the passage of the notarial act, to be shown by the tax collector's receipt or certificate to that effect.(63)

No person except justices of the peace or notaries public may hold more than one public office of trust or profit.(64)

Notarial fees were regulated by the territorial legislature in

<p>59. Or. Terr. A., 1804-5, XXII; La. A., 1818, p. 168, sec. 3; <i>ibid.</i>, 1823, p. 16; <i>ibid.</i>, 1830, p. 128; <i>ibid.</i>, 1855, #120; Rev. Stat., sec. 2511; La. A., 1878, #26.</p> <p>60. La. A., 1855, #55, secs. 7, 11; #261, sec. 2; Rev. Stat., secs. 2492, 2507; See also La. A., 1821, p. 44 for Protest Act.</p> <p>61. Or. Terr. A., 1809, XXVII, sec. 3; La. A., 1855, #261, sec. 3; Rev. Stat., sec. 2493.</p> <p>62. La. A., 1845, #76; <i>ibid.</i>, 1855, #261, sec. 3; Rev. Stat., sec. 2493. In 1877 Notaries were empowered to administer all oaths and acknowledgments. La. A., 1877, #7, sec. 1.</p> <p>63. La. A., 1888, #88, <i>ibid.</i>, 1934, #105; <i>ibid.</i>, 1936, #348. Before this act was passed,</p>	<p>notaries were required to see that all taxes were paid, but there was no specification that they be paid for three years. La. A., 1855, #259, sec. 4, refers to notaries in New Orleans but Rev. Stat. sec. 2519 makes this rule apply to all notaries; La. A., 1882, #96, secs. 69, 70; <i>ibid.</i>, 1886, #98, secs. 74, 75; <i>ibid.</i>, 1888, #85, sec. 73; <i>ibid.</i>, 1898, #170, sec. 74.</p> <p>64. Const., 1868, art. 117; Const., 1879, art. 159; Const., 1898, art. 170; La. A., 1912, #13; Const., 1913, art. 170; Const., 1921, art. XIX, sec. 4. Notaries public are eligible for school board membership. La. A., 1916, #120, sec. 5.</p>
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1805,(65) and the first state legislature established an explicit fee bill.(66) In 1822 notaries were authorized to receive the same fees and emoluments in notarial matters as the parish judges received when acting in that capacity.(67) The fees of notaries were revised and reduced in 1845.(68) The statute covering present day fees dates back to 1870, and this act requires notaries to give a detailed receipted fee bill as evidence of payment.(69) Action for the payment of fees due notaries is prescribed by one year.(70) Any notary who charges more than the fees allowed by law is subject to removal from office upon conviction, and a fine.(71)

Notaries have been subject to a state tax since 1813, and until Reconstruction time when the courts held that they were no longer subject to such tax.(72)

By virtue of the Constitution of 1921, women may also be notaries.(73)

Every officer who has been vested with the function of recording notarial acts has ex officio been vested with the authority of notary public.(74)

The most of the records of the clerk of court as ex officio recorder are kept in the first floor vault separate from the court records. Hence, unless otherwise indicated in the entries, the records following will be found in this first floor vault.

For the financial records of the clerk as recorder, see entries 246, 247.

<p>65. Or. Terr. A., 1805, XII.</p> <p>66. La. A., 1813, p. 176, sec. 8.</p> <p>67. La. A., 1822, p. 44, sec. 5.</p> <p>68. La. A., 1845, #92, sec. 4; <i>ibid.</i>, 1854, #136; <i>ibid.</i>, 1855, #122, sec. 19; Rev. Stat., sec. 770.</p> <p>69. La. A., 1870, #101, secs. 10, 11.</p> <p>70. C. C., art. 3499; Rev. C. C., art. 3354.</p> <p>71. La. A., 1855, #122, sec. 21; <i>ibid.</i>, 1861, #244; Rev. Stat., sec. 783; La. A., 1870, #101, sec. 12.</p> <p>72. A state tax of \$25 was imposed on notaries in 1813, and was abolished on notaries outside of Orleans in 1829. La. A., 1813, p. 218, sec. 3; <i>ibid.</i>, 1829, #15. A tax was again imposed on no-</p>	<p>taries in 1842 and was abolished in 1845. Two years later a tax was again imposed on them. They were subject to a tax until the courts declared such tax illegal. La. A., 1842, #154, sec. 5; <i>ibid.</i>, 1845, #113; <i>ibid.</i>, 1847, #224, art. III, sec. 3; <i>ibid.</i>, 1848, E. S., #60, sec. 3; <i>ibid.</i>, 1853, #327, art. III, sec. 3; <i>ibid.</i>, 1855, #346, sec. 3; <i>ibid.</i>, 1868, #196, sec. 3; <i>ibid.</i>, 1869, #114, sec. 3; Rev. Stat., sec. 3234; La. A., 1872, #14, sec. 1. City of New Orleans vs. Bienvenu, 23, La. Ann. 710 (1871).</p> <p>73. La. A., 1921, #34.</p> <p>74. See essay on Recorder, <i>supra</i>.</p>
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Property and Rights

Original Instruments

161. NOTARIAL ACTS, 1825--. 683 vols., 33 steel file drawers, and 3 bundles. (numbered 1, 1A-677; last five vols. not numbered. From 1825 to 1912 the complete acts of each notary are bound into individual vols. labeled with the name of the notary and dated with incl. dates of the period covered by the acts contained in the vol.; from 1912-- all of the acts filed each year are bound into dated and alphabetically lettered vols.). Title varies: Original Acts Under Private Signature, Right of Way for Electric Railway to Grand Isle, Chattel Mortgages.

Filed originals of authentic acts by parish notaries, instruments under private signature which bear notarial acknowledgment, and 1912--, acts passed before City of New Orleans notaries which were filed in this office because they affect property situated in Jefferson Parish; including authorizations to sell, acts of sale, deeds, counter letters, confirmations, ratifications, redemptions, retrocessions, homestead waivers, leases, options; marriage contracts, renunciations, donations, revocations, charters; nuncupative testaments, proces-verbaux of family meetings, meetings of creditors, and the affixing of seals to the effects of deceased persons and raising of same; inventories, partitions; affidavits, notices of intention, declarations, protests, agreements, adoptions, and powers of attorney; mortgages on real and personal property, indentures, vendors' material and labor liens, building contracts and acceptances, reinscriptions, assumptions, acts of correction, reductions of interest, and releases of mortgages and judgments; giving date of instrument, clauses indicating form, signatures of principals and witnesses, notarization, and from 1918--, filing date and signature of recorder. The complete bound acts of the following notaries are included in this record:

- i. Jean Murville Harang, 1825-33, 3 vols.
- ii. F. J. E. Dugue Livaudais, 1833-43, 11 vols.
- iii. C. C. Porter, 1843-70, 7 vols.
- iv. P. F. Smith, 1843-45, 3 vols.
- v. Daniel Clark, Jr., 1846, 1 vol.
- vi. John F. Goffey, 1850-52, 2 vols.
- vii. J. B. G. Arnoult, 1850-57, 8 vols.
- viii. Denis McAfee, 1854, 1 vol.
- ix. E. Commagere, 1854-70, 12 vols.
- x. W. F. Bisbee, 1858-59, 1 vol.
- xi. J. T. Taylor, 1860-63, 1 vol.
- xii. J. T. Michel, 1862-64, 1 vol.
- xiii. J. Hotard, 1864-69, 2 vols.
- xiv. S. Purcell, 1864-66, 2 vols.
- xv. P. E. Davis, 1864-66, 1 vol.
- xvi. A. Commandeur, 1865-69, 1 vol.
- xvii. Wm. B. Berthoud, 1866-83, 1 vol.
- xviii. T. McCormack, 1868-72, 1 vol.
- xix. F. J. Lazair, 1869-71, 1 vol.
- xx. W. H. Pascoe, 1869-87, 3 vols.
- xxi. W. J. McCune, 1869-86, 4 vols.

- xxii. F. Diebel, 1870-79, 3 vols.
- xxiii. Henry Hildenbrand, 1877-79, 1 vol.
- xxiv. S. J. McCune, Sr., 1878-89, 2 vols.
- xxv. H. N. Gautier, 1880-92, 2 vols.
- xxvi. John James Diet, 1880-86, 1 vol.
- xxvii. Frederick collin, 1881-90, 2 vols.
- xxviii. R. Gardere, 1881-87, 2 vols.
- xxix. James C. Baumann, 1882-91, 2 vols.
- xxx. John B. Lyman, 1882-1903, 2 vols.
- xxxi. J. C. Tillotson, 1887-1903, 9 vols.
- xxxii. A. E. Billings, 1888-89, 1 vol.
- xxxiii. W. H. Langridge, 1888-92, 1 vol.
- xxxiv. Wm. J. McCune, 1890-1917, 2 vols.
- xxxv. John R. Langridge, 1892-1908, 10 vols.
- xxxvi. R. J. Perkins, 1895-1901, 1 vol.
- xxxvii. A. Marrero, 1902-07, 1 vol.
- xxxviii. Leo A. Marrero, 1902-19, 15 vols.
- xxxix. Frank J. Tillotson, 1903-18, 1 vol.
- xl. Charles W. Rossner, 1908-19, 13 vols.
- xli. John E. Fleury, 1908-14, 4 vols.
- xlii. F. A. Middleton, 1913-17, 2 vols.
- xliiii. F. D. Charbonnet, Jr., 1913-17, 1 vol.
- xliv. F. D. Charbonnet, Sr., 1914-17, 1 vol.
- xlv. Andrew H. Thalheim, 1914-19, 1 vol.
- xlvi. L. H. Gosserand, 1915-19, 1 vol.
- xlvii. H. P. Viering, 1915-19, 1 vol.
- xlviii. A. T. Higgins, 1916-19, 1 vol.
- xlix. F. J. Clancy, 1916-21, 1 vol.

Also contains Bond Mortgages to 1909, entry 163. Arr. by notaries, by years, and chron. thereunder. Some of the early vols. have self-contained indexes to acts; others not indexed. For index to notaries before whom the acts in this record were passed, 1825-1929, see entry 162. Hdw. and hdw. on printed forms, 1825-99; hdw. and typed on printed forms, 1900--. Vols. aver. 300 pp. 12 x 10 x 1 to 16 x 10 x 3.

162. INDEX TO NOTARIAL ACTS, 1825-1929, 2 vols. Alphabetical index to Notarial Acts, entry 161, by surname of notary, giving christian name and dates and numbers of volumes in which his acts appear. Hdw. and typed. Aver. 50 pp. 11 x 8 x 1/2. Clerk's vault, 2nd floor.

163. BOND MORTGAGES, Jan. 20, 1910--. 7 vols. (678-684). Prior to 1910 in Notarial Acts, entry 161. Counterparts of indentures executed to secure corporation bond issues, supplemental indentures, deeds releasing indentures, judicial decrees confirming refunding plans of bankrupt corporations having outstanding bonds, deeds conveying property in consideration of the surrender for cancellation of all outstanding capital stock of vendor held by vendee, transfers of property pursuant to orders issued by the Interstate Commerce Commission, in corporation liquidations, and acts substituting trustees; giving, on indentures, names or corporate titles, and legal domiciles of mortgagor and trustees, date and type of indenture, amount

of mortgage, rate of interest on bonds and maturity, date of issue, form of coupon bond, form of interest coupon, form of registered bond and description of required endorsement, form of trustees' certificate, location and legal description of mortgaged property, various clauses establishing the conditions upon which bonds are to be issued, secured and redeemed, providing remedies upon default, and stipulating the manner of canceling and discharging the indenture, amount of federal tax paid on bonds to be issued, name of paying agency, signatures of mortgagor, trustees, witnesses and notaries, date and time filed and recorded, book and page number of record, name of recorder and initials of deputy acting in his stead. Other instruments give names or corporate titles and domiciles of principals, date of instrument, various clauses indicating form of document, signature of principals, witnesses and notaries and recording data described above. Arr. chron. by date instrument was recorded. No index. Typed, printed, and typed on printed forms. Aver. 500 pp. 12 x 9 x 3.

164. CHATTEL MORTGAGES, Sept. 1922--. 38 steel file drawers. (By incl. file nos.). Title varies: Crop Liens and Chattel Mortgages.

Original acts of chattel mortgage under notarial seal, executed to secure redemption of notes tendered by mortgagor in evidence of indebtedness, giving date of instrument and names of mortgagor and mortgagee; amount of total indebtedness; amount of each note, with rate of interest and due date; location and legal description of mortgaged property; particular covenants of mortgagors; signatures of principals, notary and witnesses; filing number and date and time filed. Also contains 1928--, Crop Liens, entry 165. Arr. chron. by dates filed. No index. Typed and hdw. on printed forms. Aver. 800 documents. 12 x 5 x 18.

165. [CROP LIENS]. 1928--. In Chattel Mortgage, entry 164. Original liens and privileges by which crops are pledged as security for the payment of money borrowed to finance agricultural operations; giving names and signatures of pledgor and pledgee; amount loaned, rate of interest and date due; description of crop and land to be cultivated; signatures of witnesses, notary and recorder; date filed and recorded, and book and page number of record. In cases where additional security was required, a list of chattels pledged is given. Arr. chron. by date filed. No index.

Conveyances

166. CONVEYANCE BOOK, June 13, 1827--. 175 vols. (1-18, A-Z, 19-149).

Record of transfer and exchange of real and personal property, instruments pertaining to conveyance, and public notices; including sheriffs' sales, tax sales, trustees' sales, letters patent, timber deeds, quit claim deeds, right of way deeds, bonds for deeds, powers of attorney, authorizations to sell, counter letters, judgments, acts of partition, donations, leases, options, redemptions, confirmations, ratifications, and retrocessions; renunciations, adoptions, wills, inventories, contracts, and orders for injunctions; and affidavits, receivers' and

registers' receipts; giving date of instrument, names of parties at interest, essential clauses indicating type of document, names of witnesses and notary, recording date and signature of recorder, additionally on conveyances only; legal description of property or right transferred and amount of consideration. Included are sales of slaves to 1861. Arr. chron. by date recorded. For indexes, see entries 167-184. Hdw. 1827-1901 - a few in French; typed 1902--. Vols. aver. 750 pp. 16 x 2 x 4.

For original acts here recorded, see entry 161.

167. GENERAL INDEX, CONVEYANCE BOOKS, Book 1 to 18, A and B, June 13, 1827-July 22, 1851. 1 vol. (A-L, and dated.)

Alphabetical cross index, to twenty volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party and book and page numbers of record. This index covers only names beginning with letters A thru L. Typed under printed heading. 550 pp. 18 x 12 x 2.

168. [INDEX TO CONVEYANCES], A-F, Mar. 1850-Apr. 1858. 1 vol. (dated).

Alphabetical cross index to six volumes of Conveyance Book, entry 166, by first letter in surnames of both parties, by groupings of second letters chronologically thereunder, giving names of opposite parties and book and page numbers of record. Hdw. under printed headings. 700 pp. 18 x 12 x 4.

169. [INDEX TO CONVEYANCES], G to L, Apr. 1858-Oct. 1870. 1 vol. (dated).

Alphabetical cross index to six volumes of Conveyance Book, entry 166, by first letter in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party and book and page numbers of record. Typed under printed heading. 700 pp. 18 x 12 x 2.

170. [Index to] C[onveyance] O[ffice] B[ooks], M-W, Oct. 1870-June 1895. 1 vol.

Alphabetical cross index to eleven volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by grouping of second letters, chronologically thereunder, giving name of opposite party and book and page numbers of record. Typed under printed heading. 700 pp. 18 x 12 x 4.

171. GENERAL INDEX, CONVEYANCE OFFICE, BOOK NOS. X-28 INC. AND PAGES 1-48 OF BOOK 29. June 1895 to Dec. 1909. 1 vol. (dated).

Alphabetical cross index, to thirteen and one half volumes of Conveyance Book, entry 166, by first letters in surnames of both parties by groupings of second letters, chronologically thereunder, giving name of opposite party and book and page numbers of record. Typed under printed heading. 700 pp. 18 x 12 x 4.

(172-178)

172. GENERAL INDEX, VENDOR, BOOK 29 EXCEPT FIRST 48 pp. TO BOOK 45 INCLUSIVE. Nov. 1909-Sept. 1919. 1 vol. (A-Z, dated).

Alphabetical index to sixteen and one half volumes of Conveyance Book, entry 166, by first letter in surname of vendor, groupings of second letters, chronologically thereunder, giving name of opposite parties and book and date number of record. Typed under printed heading. 500 pp. 18 x 12 x 3.

173. GENERAL INDEX, VENDEE, BOOK 29 EXCEPT FIRST 48 pp. BOOK 45 INCLUSIVE, Nov. 1909-Sept. 1919. 1 vol. (A-Z, dated).

Alphabetical index to sixteen and one half volumes of Conveyance Book, entry 166, by first letter in surname of vendee, groupings of second letter, chronologically thereunder, giving name of opposite parties and book and page number of record. Typed under printed heading. 500 pp. 18 x 12 x 3.

174. GENERAL INDEX, CONVEYANCE OFFICE, BOOK NOS. 46 to 51 INCLUSIVE, Sept. 1919-July 1921. (dated).

Alphabetical cross index, to sixteen volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party and book and page numbers of record. Typed under printed heading. 700 pp. 18 x 12 x 4.

175. GENERAL INDEX, CONVEYANCE OFFICE, BOOK NOS. 52 to 63 INCLUSIVE, July 1921-Aug. 1924. 1 vol. (dated).

Alphabetical cross index, to twelve volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party and book and page numbers of record. Typed under printed heading. 700 pp. 18 x 12 x 4.

176. GENERAL INDEX, CONVEYANCE OFFICE, BOOK NOS. 64-76 INCLUSIVE, Aug. 1924-June 1926. 1 vol. (dated).

Alphabetical cross index, to thirteen volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party and book and page numbers of record. Typed under printed heading. 700 pp. 18 x 12 x 4.

177. GENERAL INDEX, CONVEYANCE OFFICE, BOOK NOS. 77-82 INCLUSIVE, June 1926-Feb. 1927. 1 vol. (dated).

Alphabetical cross index, to six volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party and book and page numbers of record. Typed under printed heading. 700 pp. 18 x 12 x 4.

178. GENERAL INDEX, CONVEYANCE OFFICE, BOOK NOS. 83-93 INCLUSIVE, Feb. 1927-May 1928. 1 vol. (dated).

Alphabetical cross index, to eleven volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party and book

and page numbers of record. Typed under printed heading. 700 pp. 18 x 12 x 4.

179. GENERAL INDEX, CONVEYANCE OFFICE, BOOK NOS. 94-104 INCLUSIVE May 4, 1928-Oct. 2, 1929. 1 vol. (dated).

Alphabetical cross index, to eleven volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party and book and page numbers of record. Typed under printed heading. 700 pp. 18 x 12 x 4.

180. GENERAL INDEX, CONVEYANCE OFFICE, BOOK NOS. 105 to 117 INCLUSIVE, Oct. 1929-July 1933. 1 vol. (dated).

Alphabetical cross index to thirteen volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party, and book and page numbers of record. Typed under printed heading. 700 pp. 18 x 12 x 4.

181. GENERAL INDEX, CONVEYANCE OFFICE, BOOK NOS. 118-125 INCLUSIVE, July 1933-Sept. 1935. 1 vol. (dated).

Alphabetical cross index to eighteen volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party, and book and page numbers of record. Typed under printed headings. 700 pp. 18 x 12 x 4.

182. C[onveyance] O[ffice] B[ook] INDEX, PARISH OF JEFFERSON, [Book Nos.] 126-135, Sept. 1935-July 1937. 1 vol.

Alphabetical cross index to ten volumes of the Conveyance Book, entry 166, by first letters in the surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party, and book and page numbers of record. Hdw. under printed headings. 700 pp. 18 x 12 x 4.

183. C[onveyance] O[ffice] B[ook Index], 136-145, July 1937-Oct. 1938. 1 vol.

Alphabetical cross index to ten volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party, and book and page numbers of record. Hdw. under printed headings. 700 pp. 18 x 12 x 4.

184. C[onveyance] O[ffice] B[ook Index], 146 to 149, Oct. 1938--. 1 vol.

Alphabetical cross index to four volumes of Conveyance Book, entry 166, by first letters in surnames of both parties, by groupings of second letters, chronologically thereunder, giving name of opposite party, and book and page numbers of record. Hdw. under printed headings. 700 pp. 18 x 12 x 4.

185. [Sheriff's] DEED BOOK, 1835-44, 1853--. 8 vols. (1st, 2nd, 3rd and 5th vols. not labeled - others, C, E, F, G).

Copies of proces-verbaux of sales made by sheriff to execute writs of seizure and sale and pursuant to court orders in successions and partitions; sales made by commissioned auctioneers to carry out court orders or by direction of private property owners, and copies of acts of sale passed before notaries by sheriffs and auctioneers; giving on proces-verbaux, name of official conducting sale; suit title, docket number and name of court issuing order, or name of property owner directing sale; or in tax sales, year and number of statute from whence authority for sale is derived; legal description of property involved, origin of vendor's title, statement that sale was properly advertised; place, date and time of sale; terms of sale; encumbrances against property, if any; purchase price; name of purchaser, list of costs paid and taxes due, if any; conveyance clause; names of witnesses to document; date of recording and signature of recorder; and additionally, on acts of sale; acceptance clause; acknowledgment of receipt of payment in cash transactions, and declaration by purchaser as to his marital status and domicile. Arr. chron. by dates recorded. No index. Hdw. 1835-1907; typed 1908--. Vols. aver. 200 pp. 17 x 11 x 2. 1835-44 1 vol. Civil District Court Archives, Room 302 New Orleans Court Building, N. O., La.; 1853--, 7 vols. Recorder's Vault, 1st floor, Jefferson Parish Courthouse, Gretna, La.

For prior and duplicate records, see entry 166.

186. RECORD [Copies of Notarial Acts of R. Gardere], Feb. 7, 1881-May 5, 1888. 1 vol.

True copies of notarial acts passed before R. Gardere, notary, including mortgages, sales of property, donations, wills and testaments, inventories and proces-verbaux of family meetings. Notation of filing appearing in front of volume reads as follows: "Current register of R. Gardere, Notary Public, filed on deposit in Office of Clerk and Recorder of Jefferson, July 19, 1889." Arr. chron. by date recorded. No index. Hdw. Aver. 318 pp. 16 x 11 x 2. Clerk's vault, 2nd floor.

Maps and Plats (See also entries 82-119)

187. OFFICIAL PLAT BOOK, 1825-86. 1 vol.

Plats of incorporated towns and of various land tracts within the parish, showing boundaries of incorporated areas and individual tracts; giving name of town, subdivision or owner and date of plat. Arr. by township nos. No index. Printed and colored. 26 pp. 18 x 24 x 2.

188. PLANS [Of Subdivisions], 1859--. 12 vols. (1-12).

Plans of various land subdivisions within the parish, filed by real estate companies. The plats are numbered in order of filing and show boundaries and former owners of the various portions in some cases, and in others, the proposed street and lot boundaries, giving name of street and number of lot. Arr. chron. by date filed. For index, see entry 189. Printed. Vols. aver. 26 pp. 26 x 36 x 3.

189. INDEX TO PLANS, 1859--. 1 vol.

Alphabetical index to Plans of Subdivisions, entry 188, by first letter

in name of town to which added, or plantation or farm subdivided, giving title of plan, date, volume and page number. Hdw. 152 pp. 9 x 14 x 1/2.

190. PLAT OF KENNER, R. VANDERVERT ADDITION, Jan. 19, 1926. 1 plat. Plat showing numbered squares in section bounded by 7th, 19th, Duncan and Clay streets, and lettered lots in area between William and Clay streets. Artist, C. S. Sheldon, from original by E. B. Marks, C. E. Tracing from blueprint. 1" equals 200'. 17 x 28.

191. PLAT OF SUBDIVISION OF PROPERTY, FIRST NATIONAL BANK OF COLUMBUS, OHIO, KENNER PROJECT, Feb. 20, 1927. 1 plat.

Plat of tract situated west of the Mississippi River in Jefferson Parish between Hanson City on the river and Lake Pontchartrain, showing Jefferson-St. Charles parish line as western boundary, and northern portion of town of Kenner on east. Tract is subdivided into numbered sections and blocks; block dimensions, streets, avenues and canals are shown, and location map is inserted. Artist, S. A. Calongne's Sons, C. E. Publisher, Stafford, Derbes & Roy, Inc., New Orleans, La. Blueprint. 1" equals 400'. 32 x 34.

192. PLAT OF BROCKENBRAUGH COURT EXTENSION, June 3, 1927. 1 plat.

Plat of the rear portion of plot number two of tract formerly owned by A. Bonnabel, being a part of lot A, section 125 of Bath number two, situated in Township 12 S, Range 11 E, southeastern district of Louisiana, east of the Mississippi River in Jefferson Parish, showing subdivision into numbered blocks and lots, and also showing lot dimensions, streets, avenues, drainage canals, lines of bordering Carroll Tract and Brockenbraugh Court, certificates and dedications. Artist, C. A. Robert, C. E. Blueprint. Scale 1" equals 100'. 10 x 72.

193. PLAT OF OWNYOUROWN SUBDIVISION, June 24, 1927. 1 plat.

Plat, showing rearrangement into numbered squares and lots of a portion of subdivision situated in Section 39, Township 12 S, Range 10 E, southeastern district of Louisiana, east of the Mississippi River in Jefferson Parish. Louisiana Railway and Navigation Company railroad tracks paralleling North Line Highway, Hustedt Road, avenues and canals in section, lot dimensions, certificates and dedications are also shown. Artist, E. C. Hawkins, C. E. Publisher, Upstream Realty Co., Inc., New Orleans, La. Blueprint. Scale not given. 18 x 60.

194. PLAT OF THE UPLAND SUBDIVISION, Aug. 23, 1927. 1 plat.

Plat of lots 8 and 9 of the Trudeau Plantation, situated in Section 39, Township 12 S, Range 10 E, southeastern district of Louisiana, east of the Mississippi River in Jefferson Parish, showing subdivision into numbered blocks and lots, and also showing lot dimensions, highways, streets, avenues, railroad tracks, boundaries, certificates and dedications. Artist, E. C. Hawkins, C. E. Publisher, Stafford, Derbes and Roy, Inc., New Orleans, La. Blueprint. Scale not given. 16 x 132.

195. PLAT OF [BLOCK A, C, AND D, IN THE TOWN OF KENNER, LA.], Oct. 26, 1927. 1 plat.

Plat, showing staked lots in blocks A, C and D; also showing portions of

original lots 19 to 32 and all of lots 20, and 21-33 to 42 inclusive in block A, also parts of lots 3 and 4 and all of lots 5, 6 and 7 in block C which have been taken in on account of the Mississippi River levee being changed so that the outside toe of levee now forms the southern boundary of the present staked lots 18 and 31, block A, and lot 3 in block C. Lot dimensions, streets in area, adjacent Jefferson Highway, Orleans-Kenner Electric Railway tracks and Mississippi River are shown. Artist, James C. Webb, C. E. Publisher, Kenner-Orleans Realty Co., Inc., New Orleans, La. Blueprint. 1" equals 50'. 18 x 34.

196. PLAT OF HOMEDALE ADDITION, Mar. 26, 1928. 1 plat.
Plat of subdivision situated in Section 1, Township 13 S. Range 24 E, southeastern district of Louisiana, west of the Mississippi River in Jefferson Parish, showing blocks, numbered plots and lots, lot dimensions, streets in area, adjacent properties belonging to Union Stave Company, J. Angousset, Seaboard Refining Company, Gardere Heirs, and Edward W. Gardere; railroad tracks, public road, certificates and dedications. Artist, Elbert G. Sandoz, C. E. Publisher, Edward W. Gardere, New Orleans, La. Blueprint. 1" equals 100'. 9 x 20.

197. MAP OF AIR LINE HIGHWAY, May 17, 1928. 1 map.
Map, showing survey of Air Line Highway from Jefferson-Saint Charles Parish Line to Williams Street, Kenner, and now location from station 2667 & 73.5 to station 2770 & 50.4, also showing actual location of property lines and property owners. Artist, H. E. Landry, C. E. Published at New Orleans, La. Blueprint. 1" equals 200'. 18 x 72.

198. PLAT OF METAIRIE HEIGHTS, n. d. 1 plat.
Subdivision plat showing main thoroughfare, numbered lots, Fagot residence and store, Fagot avenue, and Metairie Road. Artists, R. S. Daniel and J. W. Waters, C. E. Publisher, Fidelity Land Co., Ltd., New Orleans, La. Blueprint. Scale not given. 13 x 132.

199. PLATS OF BELT BRIDGE SUBDIVISION, May 13, 1936. 2 plats.
Plat, in duplicate, of tract situated in Township 13 S, Range 23 E, southeastern district of Louisiana, west of the Mississippi River in Jefferson Parish, showing numbered squares and lots, lot dimensions, streets and avenues in area, Old Spanish trail state highway as southern boundary, restricted section for colored, and location map on insert. Artists, M. F. Stephens, C. E., Victor Hawkins, Surveyor. Published at New Orleans, La. Black on white recording. 1" equals 50'. 48 x 40.

200. PLATS OF SUBDIVISION, SECTIONS A AND B, CHATEAU ESTATES, July 1, 1937. 2 plats.
Plat in duplicate of tract situated in parts of sections 37, Township 11 S, Range 9 E, Township 12 S, Range 9 E, and Township 12 S, Range 10 E, southeastern district of Louisiana, east of the Mississippi River in Jefferson Parish, showing subdivision into numbered plots, estates and lots and also showing streets and avenues, drainage canals, Hammond-New Orleans Lakeshore Highway, Lake Pontchartrain, Alligator Bayou, and Tract X, belonging to New South Realty Company, Inc., not subdivided.

Artist, F. B. Grevemberg, C. E. Publisher, Lakewood Realty Co., New Orleans, La. Black on white. 1" equals 200'. 31 x 36.

201. PLATS OF LAKEWOOD ESTATES, July 1, 1937. 2 plats.
Plat in duplicate of tract situated in parts of Section 2, Township 12 S, Range 9 E of 35 and all of 36, Township 11 S, Range 9 E, southeastern district of Louisiana, east of the Mississippi River in Jefferson Parish, showing subdivision into lettered units, numbered blocks and lettered blocks, lot dimensions, streets, avenues, canals, Hammond-New Orleans Lakeshore Highway, Lake Pontchartrain, and adjoining Chateau Estates Subdivision, Section A. Artist, F. B. Grevemberg, C. E. Publisher, Lakewood Realty Co., Inc., New Orleans, La. Black on white. 1" equals 200'. 31 x 36.

Donations

202. DONATION BOOK, 1825--. 4 vols. (1st. vol. not numbered, others, 2-4). Title varies: Donations-Marriage Contracts. Record of acts conferring official gifts, such as slaves, real estate and other property, upon individuals, organizations and institutions; revocations of certain such acts; and contracts entered into by persons about to be married, setting forth the conditions by which the marriage will be regulated. Donations give: date of instrument, names of donor, donee and notary, description of donation, conditions attached to same, if any, recording date and signature of recorder; revocations contain the same information and additionally give reason why act of donation is annulled. Marriage contracts give: name of notary, date of instrument, names of contracting parties, and in the case of minors, names of their parents or guardians; declaration of intent to marry; conditions of contract, description of property brought into marriage, if any, recording date and signature of recorder; and, in some cases, renunciation by the bride-to-be of her rights over the property of her intended husband. Arr. chron. by recording date. 1825-49, indexed in vol.; 1850-- , no index. Hdw. in French and English, 1825-1924; typed 1925--. Vols. aver. 400 pp. 15½ x 10½ x 2. Vols. (1), 3, 4, recorder's vault, first floor; vol. 2 clerk of court's vault, 2nd floor.

For original acts of donation, see entry 161.

Mortgages

203. MORTGAGE BOOK, 1825--. 106 vols. (1-106).
Record of conventional, legal, and judicial mortgages, instruments pertaining to same, and public notices; including mortgages on real and personal property, reinscriptions, assumptions, acts of correction; indentures; vendors' material and labor liens; tax liens and subrogations; homestead waivers; building contracts and acceptances; leases; promissory notes; marriage contracts, donations and revocations; bonds of contractors, parish officials, tutors, curators, administrators and receivers; letters of appointment; judgments, notices of seizure, notices of lis pendens, releases of mortgages and judgments, petitions for collection, reductions of interest, injunctions, and abstracts of inventories

in successions; affidavits, declarations, notices of intention, agreements, franchise, bankruptcy proceedings and proces-verbaux of bond issues; giving date of instrument, names of parties at interest, essential clauses indicating type of instrument, names of witnesses and notary, recording date, and signature of recorder; and additionally, on mortgages only; description of mortgaged property; amount secured; and number of notes given, if any, with the amount of each, date due and place payable. Also contains Charters 1825-1919, entry 229. Arr. chron. Indexed in vol., 1825-29; for index, 1830-- , see entries 204-208. Hdw. 1825-1901; some in French; typed, 1902-- . Vols. aver. 700 pp. 16 x 12 x 4.

For original acts of mortgage, see entries 161, 163; for subsequent bond mortgages, see entry 209.

204. INDEX TO MORTGAGE BOOK, Feb, 1829-Oct. 1893. 33 vols. (dated).

Alphabetical index to volumes 1-33 of Mortgage Book, entry 203, by first letter in surname of mortgagor, chronologically thereunder, giving name of mortgagee, book and page numbers of record and in some instances Conveyance book and page number if pertaining to a sale. Hdw. Bindings poor. 75 pp. 12 x 10 x 1.

205. GENERAL INDEX, MORTGAGE OFFICE BOOKS NOS. 34-76, 1892-1927, 1 vol.

Alphabetical index to Mortgage Book, entry 203, by first letter of surname of mortgagor; giving name of mortgagee, date of reception, book and page number of record and type of instrument. Typed. Binding poor. 700 pp. 18 x 12 x 4.

206. GENERAL INDEX, MORTGAGE OFFICE, BOOKS NOS. 77-89 INC., Oct. 1927-July 1932. 1 vol.

Alphabetical index to Mortgage Book, entry 203, by first letter of surname of mortgagor, giving name of mortgagor, date of receptions, book and pages of record and type of instrument. Typed. Binding, writing and paper poor. 700 pp. 18 x 12 x 4.

207. [GENERAL INDEX TO MORTGAGES BOOKS NOS. 90-104], July 1932-Nov. 1938. 1 vol.

Alphabetical index to Mortgage Book, entry 203, by first letter of surname of mortgagor, giving date of receptions, book and pages of record and type of instrument. Typed. Binding, writing and paper poor. 700 pp. 18 x 12 x 4.

208. [GENERAL INDEX TO MORTGAGE BOOK NOS. 104-106], Nov. 1938-- . 1 vol.

Alphabetical index to Mortgage Book, entry 203, by first letter of surname of mortgagor, giving date of receptions, book and pages of record and type of instrument. Typed. Binding, writing and paper poor. 700 pp. 18 x 12 x 4.

209. BOND MORTGAGE BOOK, June 14, 1938-- . 1 vol. (1).

Record of indentures executed to secure corporation bond issues,

supplemental indentures, deeds releasing indentures, judicial decrees confirming refunding plans of bankrupt corporations having outstanding bonds, deeds conveying property in consideration of the surrender for cancellation of all outstanding capital stock of vendor held by vendee, transfers of property pursuant to orders issued by the Interstate Commerce Commission in corporation liquidations, and acts substituting trustees; giving date of instrument, names or corporate titles and domiciles of principals, names of trustees, witnesses and notary, various clauses indicating form of document, date and time filed, and signature of recorder. Arr. chron. by date of recording. No index. Typed. 600 pp. 16 x 10 x 2.

For prior records, see entry 203.

210. AMORTIZATION MORTGAGE BOOK, Dec. 8, 1933-- . 1 vol. (1). Record of mortgages on agrarian property in favor of the Federal Land Bank, and on residential property in favor of the Home Owners Loan Corporation, securing loans made by those agencies under an amortization plan of repayment which disposes with the necessity of reinscribing the instruments to preserve their effect even though all, or any part of the loan matures later than ten years from the date of issue, giving date of instrument, names of parties at interest; amount of loan, rate of interest, number of installments, amount of each and date due; description of property mortgaged; signatures of principals, witnesses and notary; date recorded and signature of recorder. Arr. chron. by date recorded. For index, see entry 211. Typed. Vols. aver. 350 pp. 18 x 12 x 3.

211. INDEX TO AMORTIZATION MORTGAGE BOOK, 1933-- . 1 vol. (1). Alphabetical index to Amortization Mortgage Book, entry 212, by first letter of surname of Mortgagor, chronologically thereunder, giving page number of record, type of instrument and date. Hdw. 50 pp. 18 x 12 x 1/2.

212. CHATTEL MORTGAGE BOOK, Aug. 15, 1912-- . 9 vols. Record, in abstract form, of mortgages on movable property; giving date filed, filing number, names of mortgagor, mortgagee and notary, amount secured, maturity date of loan and description of mortgaged property. Also contains Lien and Privilege Book 1921-- , entry 218. Arr. chron. by dates recorded. For index, see entry 213. Hdw. under printed heading Vols. aver 300 pp. 16 x 10 x 3.

213. INDEX TO CHATTEL MORTGAGE BOOK, Aug. 15, 1912-- . 9 vols. (1-12). Alphabetical index to Chattel Mortgage Book, entry 212, by first letter in surname of mortgagor, chronologically thereunder, giving name of mortgagee and page number of record. Hdw. Vols. aver. 100 pp. 16 x 9 x 1.

214. [CANCELED MORTGAGE NOTES], 1907-- . 53 steel file drawers (dated and in some cases give inclusive nos. of Mortgage Books). Title varies: Chattel Mortgage Notes; Gretna Paving Lien Cancellations. Mortgage notes which have been redeemed and deposited with the recorder

for cancellation and as his authority to strike from his record the indebtedness with which they are connected, giving maturity date, act with which instrument is identified, date same was executed, signatures of mortgagor, mortgagee and notary public, number and amount, in body of note; and cancellation date, name of person by whom note was deposited and signature of recorder, on notation of cancellation. Included in this record are releases of mortgage and redemptions of judgment. Hdw. and typed on printed forms. Aver. 700 documents. 12 x 5 x 16.

215. RESEARCH BOOK, Jan. 1898-Apr. 1920. 4 vols. Title varies: Letters.

Impressions of original mortgage and conveyance certificates issued from 1904 to 1920 at request of parties at interest, giving name of clerk of court, name of property owner, legal description of property involved, list of encumbrances or alienations, if any, and date of certificates; conveyance certificates additionally give origin of owner's title to property. Included in the last volume are miscellaneous letters from 1898-1905. Arr. chron. by date of issue. Indexed in vol. alph. by 1st. letter in surname of property owner, chron. thereunder, giving page no. of record. Inked impressions. Bindings poor. Aver. 750 pp. 15 x 10 x 2. Clerk's vault, 2nd floor.

Oaths and Bonds

216. OFFICIAL OATHS AND BONDS, 1844--. 3 steel file drawers
Title varies: Bonds.

Original bonds furnished by parish treasurer, sheriff and ex officio tax collector, tax assessor, registrar of voters, constables, notaries public and other officials as required by law to so insure faithful performance of their duties; and original oaths of office taken by elected and appointed office holders. Bonds give names of principals and sureties, to whom they are bound and in what amount, conditions of obligation, title of office to be held by principal, date of bond, signatures of principal, sureties, witnesses and notary; deposition of sureties as to their financial responsibility, and clause of acceptance of bond signed by clerk of court and president of police jury. Oaths give name and place of residence of principal, title of office to be held, pledge of allegiance to federal and state constitutions, declaration of intent to properly discharge duties incidental to office, date of instrument, and signatures of principal and notary. No arr. No index. Hdw. and hdw. on printed forms. 12 x 5 x 14. 1844-1924, Clerk's vault, 2nd floor; 1925--., Recorder's vault, 1st floor.

217. OFFICIAL OATHS AND BONDS, Apr. 14, 1880--. 4 vols. (A, 1-3).
Title varies: Official Bonds.

Copies of bonds furnished and oaths taken by parish officials. Information contained is identical with that described in Official Oaths and Bonds, entry 216, except that here the date and time of recording is also given, and names only of principals, sureties, witnesses and notaries appear, this record being signed by the recorder alone. Arr. chron. by date of recording. 1880-1920, no index; 1921--., indexed in entry 1880-1908, hdw.; 1909--., typed. Vols. aver. 350 pp. 16 x 10 x 1.

For prior and duplicate bonds, see entry 203.

Liens

218. LIEN AND PRIVILEGE BOOK, July 9, 1891-May 7, 1920; 1 vol.
Discontinued: 1921--., recorded in Chattel Mortgage Book, entry 212.

Recorded copies of liens and privileges on crops, giving names of pledgor, pledgee, witnesses and notary, amount secured, rate of interest, maturity date of loan, description of crop and land to be cultivated, filing date and signature of recorder. From 1921-- recordings are in abstract form. Arr. chron. by dates recorded. For index 1891-1920 see entry 219. Aver. 500 pp. 18 x 12 x 3. Clerk's vault, 2nd floor.

For prior records see entry 203.

219. [Index To] LIEN AND PRIVILEGE BOOK, July 9, 1891-May 7, 1920.
1 vol.

Alphabetical index to Liens and Privilege Book, entry 218, by first letter of surname of pledgor, giving name of pledgee and page number of record. Index not complete. Hdw. Aver. 30 pp. 18 x 12 x 1. Clerk's vault, 2nd floor.

220. PRIVILEGE BOOK, 1844-74. 3 vols. (1-3 dated).

Record of tax liens, with the privilege of redemption under certain conditions, on property in the city of Lafayette and parish of Jefferson belonging to owners who were delinquent in paying property and improvement taxes; giving name of tax payer, description of property involved, and amount of taxes due. Canceled liens bear notation of cancellation and date. Arr. chron. by years and districts thereunder. For index see entry 221. Hdw. 2 vols. aver. 450 pp., 1 vol. 280 pp. 15 x 10 x 2 to 19 x 13 x 3. Clerk's vault, 2nd floor.

221. INDEX TO BOOK OF PRIVILEGES, 1844-72. 3 vols. (1, 1, 2).

Alphabetical index to Privilege Book, entry 220, by first letter in surname of property owners, chronologically thereunder, giving page number of record. Hdw. Vols. aver. 125 pp. 14 x 10 x 1. Clerk's vault, 2nd floor.

Tax Liens

222. ASSESSMENT ROLL, 1875-78, 1880-1904, 1906-07, 1909-11,
1913-15, 1919--. 66 vols. (dated).

Assessment rolls giving name, address and color of taxpayer, number of acres owned, description of property, assessed valuation of real estate and other property as fixed by Louisiana Tax Commission, amount of homestead exemption since 1934, total assessed value of all property for state, parish and special local taxes, amount of each tax, total tax to be paid by taxpayer, and total tax on account of homestead exemption to be paid by state treasurer. [At the bottom of each sheet are given the totals involving taxpayer, totals involving homestead exemption, and grand total. From 1930-- each year's roll is distributed into two volumes.

Arr. 1875-1887 by districts; 1888-- , arr. numer. by ward nos. alph. by surname of taxpayer thereunder]. No index. Hdw. under printed headings, 1875-1921; typed under printed headings, 1922-- , Aver. 350 pp. 18 x 14 x 1 to 18 x 26 x 2. Clerk's vault, 2nd floor.

223. [DELINQUENT TAXPAYERS], 1854, 1856, 1867-77. 5 vols. (dated) Lists of delinquent taxpayers, giving name of property owner, legal description of property, amount of assessment, total amount of delinquent taxes, and in some cases, the years for which they are due. Occasionally notations as to date payment was made appear. Arr. by resident and non-resident taxpayers, chron. thereunder. No index. Hdw. under printed headings. Aver. 100 pp. 17 x 23 x 1/2. Clerk's vault, 2nd floor.

224. 2nd DRAINING DISTRICTS, 1861, 3 vols. (Subtitled by name of district).
Assessment rolls for drainage tax, giving name and address of property owner, description of property assessed, amount of tax levied on each tract of land, and, under remarks, if person assessed did not pay tax, name of party by whom payment was made and whether a full or partial release was effected by the payment. Assessment rolls for the following districts are included in these records: Huntsville, Burtheville, Greenville, Marlyville, Bloomingdale, Fouchers, Fribourgs, Metairie Ridge, Carrollton and Jefferson City. Arr. by districts. No index. Hdw. under printed headings. Vols. aver. 150 pp. 16 x 13 x 1. Clerk's vault, 2nd floor.

225. DRAINAGE TAX BOOK, 1909-10, 1912-17, 1923-24, 1935-36. 16 vols. Title varies: Tax Roll; Description of Lands. Assessment rolls for drainage taxes levied in the following districts: Second, 1909, 1910, 1912-14; Third, 1913, 1917; Fourth, 1914-17, 1923-24, 1935-36; Fifth, 1917; and for special acreage tax levied in Sub-district Number Three, Fourth Drainage District for 1923; giving assessment number, name of property owner; description of property, and amount of taxes levied on each tract of land. Volumes for the Second District additionally give cash value of land and lots, total cash value, total assessments against white and colored property owners, amount of drainage and acreage taxes, and total tax due. Arr. by subdivisions of district, and numer. by square nos. thereunder. No index. Hdw. on printed form, 1909-17; typed on printed form, 1923-36. Aver. 45 pp. 9 x 12 x 1/2 to 18 x 12 x 1. 1909-24, 14 vols. Clerk's vault, 2nd floor; 1935-36 2 vols.

226. JEFFERSON ROAD DISTRICT, 1912, 1916. 4 vols. (dated; 1st two vols. subtitled Right Bank, Left Bank; last two vols. labeled by district nos.). Title varies: Description of Lands. Assessment rolls for special road and improvement taxes, giving assessment number, name of property owner and sometimes his color and post office address, description of land, lots and squares, assessment and amount of road tax. Volumes for 1912 additionally give cash value of land, cash value of lots, total cash value, total assessments for white and colored taxpayers, and amount of total tax; and include a recapitulation in each volume, giving total valuations, total assessments for white and colored, and total taxes appearing on each page of record.

Notations of cancellation, when they appear, give date and name of clerk of court; and in some cases include the information that School, La-fourche Levee District, Parish and State taxes have been paid. Arr. by taxing districts and numer. by assessment nos. thereunder. No index. Hdw. under printed headings. Aver. 100 pp. 9 x 14 x 1/2 to 11 x 18 x 1/2. Clerk's vault, 2nd floor.

227. DESCRIPTION OF LANDS, 1916. 5 vols. Title varies: Jefferson Drainage Districts No. 2. Legal description of all lands in parish subject to acreage and drainage assessment; giving assessment number, name, color, and post-office address of land owner, acreage, description of lands, lots, and squares, cash value of each, total cash value, total assessment for white and colored owners, amounts of drainage tax, acreage tax and total. Arr. by districts and subdivisions thereunder. No index. Hdw. under printed headings. Aver. 50 pp. 12 x 18 x 1/2.

228. DRAINAGE TAX BOOK, [Abstracts of Ownership] 1924. 1 vol. (dated).
Original abstract of all lands lying within the limits of sub-drainage district number two of the Fourth Jefferson Drainage District situated partly in the seventh and partly in the eighth wards, made by the Jefferson Title Company, Inc., for the Board of Drainage Commissioners for this district, giving name of subdivision, name of property owner, description of property by lots and squares, and acreage owned. Arr. by subdivision, numer. by square nos. thereunder. No index. Typed on printed forms. 84 pp. 16 x 12 x 1/2. Clerk's vault, 2nd floor.

Incorporations

229. CHARTER BOOK, Apr. 30, 1920-- . 2 vols. (1-2). 1825-1919 in Mortgage Book, entry 203.
Record of charters, amendments to and dissolutions of charters of business firms, churches, societies, military and athletic organizations, welfare and cemetery associations domiciled in parish, giving date of instrument, name and title of corporation; a description of the purpose for which it is established; the nature of the business or activity to be carried on, the name of the officer on whom citations may be served; if a stock corporation, the amount of capital stock, the number of shares, the amount of each share and the time when, and the manner in which payment on stock subscribed shall be made, the system by which the election of directors or officers shall be conducted, the length of time during which the corporation shall exist and the mode of liquidation. Arr. chron. by date recorded. For index see entry 230. Typed. Vols. aver. 300 pp. 18 x 12 x 2.

230. INDEX TO CHARTER BOOK, Apr. 30, 1920-- . 2 vols. (1-2). Alphabetical index to charter Book, entry 229, by first letter in name of corporation, chronologically thereunder, giving type of instrument (charter, dissolution or amendment), and page number of record. Hdw. Vols. aver. 50 pp. 18 x 12 x 1/2.

231. CORPORATION AGENTS, April 9, 1929--. 1 vol.
Record of domestic and foreign corporations doing business in the parish; giving registration date, title of corporation, domicile, and post office address, name of agent on whom citations may be served, and his address. Arr. chron. by filing dates. For index see entry 234. Hdw. under printed headings. Aver. 300 pp. 17 x 14 x 2.

232. INDEX, CORPORATION BOOK, Apr. 9, 1929--. 1 vol.
Alphabetical index to Corporation Agents, entry 233, by first letter in title of company, chronologically thereunder, giving page number of record. Hdw. 100 pp. 17 x 14 x 1.

Certificates

233. RECORD OF DOCTORS' CERTIFICATES, Apr. 20, 1895-June 9, 1927. 1 vol. (1).
Copies of certificates issued by various state examining boards authorizing physicians, dentists, optometrists, nurses and midwives to practice in the state; temporary permits to practice granted physicians applying between regular examination dates; and early letters by physicians attesting to the ability of certain women as midwives. Certificates give: certificate number and date; title of examining board; name of practitioner, school of practice, title of institution from which diploma was received and year of graduation, names of examining board members, dates filed and recorded and signature of recorder. These certificates were exhibited by their holders to the clerk of court for recording as evidence of the practitioner's eligibility to operate professionally in the parish. Arr. chron. by date recorded. No index. Hdw. Aver. 153 pp. 14 x 8 x 1. Clerk's vault, 2nd floor.

For duplicate and subsequent records see entry 161.

Miscellaneous Records

234. CENSUS, PARISH OF JEFFERSON, 1890. 3 vols.
List of parish inhabitants enumerated during the 1890 census; giving name, age, sex, color, nativity and place of residence of each person, and tally mark indicating whether the person enumerated comes under any of the following three categories: voters, unnaturalized foreigners, and children between the ages of 6 and 18. After the names of persons enumerated in each ward there is a recapitulation giving the following statistics; number of white and colored males and females enumerated; number of native-born inhabitants; number of foreign-born; number of unnaturalized foreigners; number of voters; and number of children between the ages of 6 and 18 years. Arr. numer. by ward nos., by square and lot nos. thereunder. No index. Hdw. under printed headings. Vols. aver. 110 pp. 14 x 21 x 1. Clerk's vault, 2nd floor.

235. ENUMERATION OF EX-CONFEDERATE SOLDIERS AND WIDOWS OF DECEASED SOLDIERS, 1911. 1 vol. (dated).
Record, required by Louisiana Act 71 of 1908, containing list of

ex-Confederate soldiers and widows of deceased soldiers living in the parish in 1911, recapitulation, by wards, of total soldiers and widows enumerated, and sworn statement by assessor that information contained in the record is true and correct. List gives: name and age of person enumerated; state in which soldier was enlisted; regiment and company in which he served; kind of property owned and assessed, if any; amount and assessment; occupation or means of livelihood; physical infirmities, if any; and, in case of widows, date of marriage. Recapitulation gives: number of soldiers and widows enumerated in each ward and grand totals for parish. Statement gives: date of affidavit and signatures of assessor and clerk of court. Filing date and signature of clerk appear on inside front cover of record. Arr. numer. by ward nos. Hdw. under printed headings. Approx. 100 pp. 18 x 11 x 1. Clerk's vault, 2nd floor.

236. COMPANY MORNING REPORT BOOK, Mar. 14, 1905-July 26, 1906. 1 vol.

Record of attendance at weekly drills and summer encampments of the Gretna unit of militia infantry originally known as Jefferson Guards, 2nd Separate Company, regiment of Louisiana, and later officially designated as Company B, 1st Battalion, 1st Brigade of the Louisiana State-National Guard, giving military title of unit, name of commanding officer, troop-station, date of drill or encampment duty, number of commission officers and enlisted men present for duty, number absent, number assigned to daily duty, current gains or losses in company strength, and signatures of first sergeant and company commander. Inserted in this volume is a muster roll of the company, a pay roll, and a few blank applications for enlistment. Arr. chron. by date of report. No index. Hdw. under printed headings. Binding poor. Approx. 100 pp. 16 x 11 x 1. Clerk's vault, 2nd floor.

237. INDEX, 1825-1936. Approx. 100 vols. (dated and labeled by nos. of books to which they pertain).
Obsolete indexes discarded, either because they are faulty, or due to replacements having been made. Hdw. Aver. 50 pp. 12 x 8 x 1/2 to 18 x 12 x 1.

III. CLERK OF COURT

Although the act which created Jefferson Parish empowered the governor to appoint such officers as were thought necessary for the parish, it is not definitely known whether this included the clerk of court(1) inasmuch as legislation establishing the district court made it the duty of the district judge to appoint a clerk of the district court for each parish in his district.(2) At the time, and until 1846, Jefferson Parish was included in the first judicial district in which sessions

1. La. A., 1825, p. 108, sec. 2. 2. Cf. La. A., 1813, p. 18, sec. 22.

of court were held only in New Orleans, where a clerk served the court. Since 1846, however, when the district court began holding sessions in Jefferson Parish, a clerk of the district court has been elected by the voters of the parish for a term of four years.(3)

The power of filling vacancies in the office of clerk was vested in the district judge until 1868 when the governor was directed to fill such vacancies with the advice and consent of the senate. If the senate was not in session at the time the vacancy occurred, the appointment was made by the governor, and expired on the third Monday after the meeting of the next session of the general assembly.(5) Since an amendment to the Constitution of 1898 was adopted in 1904, vacancies in the office of clerk caused by death, resignation, or removal, where the unexpired portion of the term is a year or more, are filled by special election called by the governor and held within sixty days. Where the unexpired portion of the term is less than a year, the vacancy is filled by appointment by the governor.(6)

The removal of the clerk of court from office for breach of good behavior, for nonfeasance or malfeasance, was vested in the supreme court until 1845.(7) From the latter date until 1864 he was subject to removal for such offenses by the district judge, with the right of appealing his case to the supreme court.(8) The constitutions of 1864 and 1868 made no special provisions for the removal of the clerk, but vested the power of removing all civil officers(9) in the general

3. Const., 1845, art. 82; La. A., 1846, #105, sec. 4; Const., 1852, art. 79; La. A., 1855, #56, sec. 1; Const., 1864, art. 80, La. A., 1866, #62, sec. 1; Const., 1868, art. 83; Const., 1879, art. 121; Const., 1898, art. 122; Const., 1913, art. 122; Const., 1921, art. VII, sec. 66.

4. La. A., 1813, p. 18, sec. 22; Const., 1845, art. 82; Const., 1852, art. 79; La. A., 1867, #134, sec. 1. It was held by the supreme court in 1857 that when the clerk of the district court tendered his resignation properly to the district judge, the judge was empowered to fill the vacancy and the person so appointed held his office until the next election. State vs. Morgan, La. Ann., vol. 12, p. 712.

5. La. A., 1868, #27; Rev. Stat., sec. 1577.

6. La. A., 1904, #139 (12th amendment to Const., 1898); Const., 1913, art. 124; Const., 1921, art. VII, sec. 69.

7. Const., 1812, art. IV, sec. 10; La. A., 1821, pp. 112-114. The Supreme Court alone can remove the clerk of the district court from office. State vs. Dunlap, Mart., vol. 5-OS, p. 271. Frequent intemperance and habitual indolence are charges too vague and indeterminate against a clerk; there should be a specification of the nature, time, place and manner, and the persons injured by the offense. State vs. Winthrop, Mart., vol. 2-OS, p. 530.

8. Const., 1845, art. 80; La. A., 1846, #96, sec. 17; Const., 1852, art. 77.

9. Those whose removal had been otherwise provided for in the constitution were excepted, but this did not include the clerk.

assembly, by an address of a majority of the members thereof.(10) Under the Constitution of 1879 the clerk of court was removable for any reasonable cause by the governor, on the address of two-thirds of the members of the general assembly.(11) This power of removal, vested in the governor and general assembly, has been extended since 1898 so that they may remove any officer for any reasonable cause "whether sufficient for impeachment or not."(12)

Since the Constitution of 1879, the clerk of court has been mentioned by name as liable to impeachment for a high crime or misdemeanor, for nonfeasance or malfeasance in office, for incompetency, corruption, favoritism, extortion or oppression in office, or for gross misconduct or habitual drunkenness. He is removable for any of the above reasons by judgment of the district court. Suits against the clerk of court must be instituted on the written request and information of twenty-five resident citizen taxpayers.(13) When articles of impeachment are preferred against the clerk, he is suspended from office during the pendency of such impeachment and the appointing power may make provisional appointment until the decision on the impeachment is reached.(14)

The clerk of court, as well as all other parish officers, must reside within the parish for which appointed or elected.(15) and no person is eligible for appointment or election to any parish office who has not been a resident in such parish long enough to have acquired the right of voting.(16) Whenever any officer, state, judicial, parochial, municipal, or ward, changes his residence from the limits in which he holds such office, the same is thereby vacated, any declarations of retention of domicile to the contrary notwithstanding.(17)

Every person is disqualified from holding any office of trust or profit in the state who has been convicted of treason, bribery, perjury, forgery or other high crime or misdemeanor,(18) as well as those who are inmates of any charitable institution, except the Soldiers' Home; those actually confined in any public prison; and indicted persons

10. Const., 1864, art. 99; Const., 1868, art. 106.

11. Const., 1879, art. 199.

12. Const., 1898, art. 220; Const., 1913, art. 220; Const., 1921, art. IX, sec. 3.

13. Const., 1879, arts. 196, 201; La. A., 1880, #135; Const., 1898, art. 217, 222; Const., 1913, arts. 217, 222.

14. Const., 1845, art. 87; Const., 1852, art. 88; Const., 1864, art. 88; Const., 1879, art. 198; Const., 1898, art. 219; Const., 1913, art. 219; Const., 1921, art. IX, sec. 2.

15. Const., 1812, art. VI, sec. 7.

16. Const., 1845, art. 95; Const., 1864, art. 101; Const., 1868, art. 105. La. A., 1855, #289; Rev. Stat., sec. 2607.

17. Const., 1879, art. 195; Const., 1898, art. 210; Const., 1913, art. 210; Const., 1921, art. VIII, sec. 13.

18. Const., 1812, art. VI, sec. 4; Const., 1845, arts. 91, 92; Const., 1852, arts. 92, 93; Const., 1864, art. 93; Const., 1868, art. 99; Const., 1879, art. 148.

and all persons known to be insane or indiotic, whether interdicted or not.(19)

Before assuming the functions of his office the clerk is required to take the oath of office before any judge or justice of the peace,(20) and, since 1846, to post a bond. In 1846 the bond of the clerk of court for Jefferson Parish was declared to be the same as that of the clerks of court in the parish of Orleans.(21) According to this provision the clerk's bond was fixed at \$15,000, with good security, payable to the governor.(22) An act of 1855 reduced the amount of the clerk's bond to \$5,000, with two good securities, subject to approval by the district judge. Such bond, when approved, was deposited with, and recorded by the recorder, and operated as a mortgage from the date of its registry, upon the immovables of the principal obligor. A certified copy of the same, with a certificate of its registry, had to be transmitted to the auditor of public accounts.(23)

Since 1880, when the clerk of court became ex officio recorder and notary public, his bond has been fixed at \$10,000 with two solvent sureties. The bond, payable to the governor, must be approved and accepted by the president of the police jury and the sheriff, and recorded in a separate book, as well as in the mortgage records of the several parishes where the principal obligor owns immovables. Before commencing his official duties, the clerk must make affidavit, and have it recorded in the mortgage records, that he has caused his bond to be recorded, and transmit to the auditor of public accounts, an authenticated copy of the bond, with certificates of its registry, and also a duplicate of the affidavit.(24) If the clerk's bond is signed by a surety company it need not be recorded.(25)

The clerk of court was authorized to appoint deputies under his responsibility. Such appointees were required to take the oath before the court, and their appointment was ordered to be mentioned in the records.(26) By an act of 1846, the appointment of deputies by the clerk had

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| <p>19. <u>Const.</u>, 1898, art. 202;
<u>Const.</u>, 1913, art. 202;
<u>Const.</u>, 1921, art. VIII, sec. 6. During Reconstruction persons were also disqualified from holding office if they were denied the right of suffrage because of participation in the rebellion, unless they had sworn to and signed the oath of recantation.</p> <p>20. <u>La. A.</u>, 1815, p. 80; see also footnote, <u>infra</u>.</p> <p>21. <u>La. A.</u>, 1846, #96, sec. 19.</p> <p>22. <u>Cf. La. A.</u>, 1820, p. 100, sec. 1.</p> | <p>23. <u>La. A.</u>, 1855, #56, sec. 2; <u>Rev. Stat.</u>, secs. 368, 462, 2425, 2426.</p> <p>24. <u>Const.</u>, 1879, art. 121; <u>La. A.</u>, 1880, #68, sec. 3; <u>Const.</u>, 1898, art. 122; <u>Const.</u>, 1913, art. 122; <u>Const.</u>, 1921, art. VII, sec. 68.</p> <p>25. <u>La. A.</u>, 1922, #108.</p> <p>26. <u>C. P.</u> art. 782. This article authorizes clerks to appoint deputies, who are to take the oath before the court in which they act. But if they act in two courts, the law is satisfied if they be sworn in either. <u>Bank of La. vs. Watson</u>, 15 <u>La.</u> 38.</p> |
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to receive the approval of the district judge,(27) but two years later this latter requirement was dispensed with. Such deputies as were appointed, however, were to be sworn in by the district judge or by any justice of the peace, and their oath recorded in the office of the parish recorder.(28) Since 1879 the clerk must receive the approval of the district judge when appointing deputies.(29)

Deputies were granted all the powers exercised by the clerk, except judicial, and in 1882 in the event of the death, resignation or removal of the clerk, one or more of them, designated by the judge, were to continue in office until a clerk of court had been appointed or elected.(30) This act was so amended in 1888 as to give the chief deputy clerk judicial powers when the clerk of court was absent from the parish or was unable to act, except the power to bond an injunction or any conservatory writ.(31) A further amendment was passed in 1902 which empowered the clerk, with the approval of the judge, to appoint a deputy (who was not required to be a resident of the parish for which he was appointed) to be known as a minute clerk. His duties and powers were to consist of administering oaths to all witnesses and jurors; keeping and transcribing the minutes of the court, and filing all documents in open court, ordered to be filed by the court.(32)

The clerk of the district court is also authorized to employ a shorthand reporter (with the approval of the district judge), whose duty it is to report and transcribe the testimony taken in open court or in chambers in all appealable civil causes.(33)

The clerk is required to furnish all the necessary deputies, clerical and other assistance, out of the expenses allowed him, but is not compelled to pay the reporters or stenographers from his expense account. These employees are permitted to charge and collect the fees allowed by law for the services which they render.(34)

Since 1855 the clerk has been prohibited from acting as attorney,

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| <p>27. <u>La. A.</u>, 1846, #96, sec. 18.</p> <p>28. <u>La. A.</u>, 1848, #180; <u>ibid.</u>, 1853, #329, sec. 7; <u>ibid.</u>, 1855, #56, sec. 12.</p> <p>29. <u>Const.</u>, 1879, art. 123, <u>Const.</u>, 1898, art. 124; <u>Const.</u>, 1913, art. 124; <u>Const.</u>, 1921, art. VII, sec. 67.</p> <p>30. <u>La. A.</u>, 1853, #329, sec. 7; <u>ibid.</u>, 1855, #56, sec. 12; <u>ibid.</u>, 1882, #43, sec. 8.</p> <p>31. <u>La. A.</u>, 1888, #137.</p> | <p>32. <u>La. A.</u>, 1902, #220.</p> <p>33. <u>La. A.</u>, 1900, #64, amending and re-enacting <u>La. A.</u>, 1890, #28. In 1930 the judge of the 24th judicial district was authorized to appoint a stenographer to attend the civil and criminal sessions held in said district. <u>La. A.</u>, 1930, #28.</p> <p>34. <u>La. A.</u>, 1916, #142, sec. 4; <u>ibid.</u>, 1938, #227, sec. 2.</p> |
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except as attorney in fact, which must be proved by authentic documents.(35) He is also forbidden to solicit business for lawyers.(36) Neither can he hold any office of profit under the police jury or board of school directors.(37)

Until July 1st, 1917 there was no limitation placed on the clerk's compensation which is made up of fees that he has been authorized by law to charge for issuing, endorsing, registering, filing, recording, and copying the various writs, orders, process and other papers issuing from his office.(38) By an act of 1916 (which became effective July 1, 1917) the clerk of Jefferson Parish received a yearly salary of \$3,500, and was allowed the same amount for expenses.(39) In 1918 his salary was increased to \$4,000 per annum, but there was no increase in his expense allowance.(40) Both of these laws provided that in case the clerk's expense allowance exceeded the necessities of his office, the excess was to remain in the parish treasury, but if the clerk needed more than the amount fixed as his expense allowance, such additional expenses were then to be approved by the district judge and president of the police jury. If they did not approve the request of the clerk, then the supervisor of public accounts decided thereon, whose decision, approving or disapproving the same, was final.(41) All fees and charges which the clerk was permitted to collect were ordered turned over to the parish treasurer, who accounted for them in a "Clerk's Salary Fund." From this account the clerk drew his salary monthly on his own warrant, but not before he had issued his monthly warrants to his deputies and employees on the parish treasurer. All claims within the allowance fixed were also ordered paid before his salary was paid. If there was any balance due on the amount of the clerk's salary at the end of each "term", the same was cancelled, unless the fees due to him were collected later. When such fees were collected the treasurer was authorized to pay the clerk any amount due on his salary.(42)

Since 1924 the clerk of Jefferson Parish keeps the full amount of fees and charges collected, out of which he employs all necessary deputies, clerical, and other assistance, and pays all expenses. His salary, however, cannot exceed \$5,000 per annum. All receipts exceeding

35. La. A., 1855, #115; <u>ibid.</u> , 1861, #110; Rev. Stat., secs. 116, 117; La. A., 1896, #84; <u>ibid.</u> , 1904, #135.	1; <u>ibid.</u> , 1876, #99, secs. 1, 2; <u>ibid.</u> , 1898, #203, sec. 2; <u>ibid.</u> , 1928, #67; <u>ibid.</u> , 1936, #334; <u>ibid.</u> , 1938, #228, sec. 1.
36. La. A., 1894, #28.	39. La. A., 1916, #142, sec. 1.
37. La. A., 1884, #105, amends and re-enacts La. A., 1877, E. S., #6.	40. La. A., 1918, E. S., #14, secs. 1, 2.
38. La. A., 1813, p. 176, sec. 1; <u>ibid.</u> , 1814, p. 108, secs. 3, 4; <u>ibid.</u> , 1817, p. 24, sec. 12; <u>ibid.</u> , 1825, p. 212, sec. 4; <u>ibid.</u> , 1855, #122, sec. 11; Rev. Stat., secs. 758, 760; La. A., 1870, #101, sec.	41. La. A., 1916, #142, sec. 2; <u>ibid.</u> , 1918, E. S., #14, sec. 3.
	42. La. A., 1916, #142, sec. 5; <u>ibid.</u> , 1918, E. S., #14, secs. 3, 5.

\$5,000, except clerical salaries and expenses of conducting the office, (which are approved by the district judge) are paid into the parish treasury. He is required to keep an accurate set of books showing all receipts of his office, including notarial fees, and render a statement therefrom to the police jury not later than July 10th of each year. If the clerk fails to comply with the law he forfeits 50% of his compensation.(43)

A recent law has to a certain extent guaranteed the clerk's salary by providing that if the clerk receives less than \$5,000 a year because of insufficient receipts of his office, and there occurs a surplus in such receipts subsequently, within his term of office, he can draw out of such surplus an amount sufficient to make up his annual salary of \$5,000.(44)

The clerk of the district court has served ex officio as clerk of all courts that held sessions in his parish,(45) except the probate court which existed in Jefferson Parish from 1825 to 1845, and for which the probate judge acted as his own clerk.(46)

Upon the organization of the office, the clerk of court was to be furnished, at the expense of the state, with a press, seal and books necessary for keeping all the records of the courts,(47) but his office was to be provided at the expense of the parish and kept within one mile of the seat of justice.(48)

The clerk's office hours have been determined by law. From 1846 until 1924 his office hours were declared to be 10 A. M. to 12 M. and 2 P. M. to 4 P. M.(49) Since 1924 his office hours have been extended, requiring him to keep open from 8A. M. to 12 M. and from 1 P. M. to 5 P. M.(50)

As an officer of the court the clerk was required to issue all

43. La. A., 1924, #183; <u>ibid.</u> , 1935, 2nd E. S., #15; <u>ibid.</u> , 1936, #336; <u>ibid.</u> , 1938, #227.	Const., 1921, art. VII, secs. 53, 66.
44. La. A., 1936, #336; <u>ibid.</u> , 1938, #227.	46. In 1844 the probate judge was empowered to appoint a deputy clerk for his court. La. A., 1844, #41.
45. La. A., 1813, p. 18, sec. 22; <u>ibid.</u> , 1868, #51, sec. 4; Const., 1879, art. 121; La. A., 1880, #58, sec. 1; Const., 1898, art. 122; Const., 1913, art. 122;	47. Cf. La. A., 1814, p. 62, sec. 1.
	48. <u>Ibid.</u> , sec. 2.
	49. La. A., 1846, #125, sec. 16; <u>ibid.</u> , 1855, #56, sec. 18; Rev. Stat., sec. 471.
	50. La. A., 1924, #159.

orders(51) and writs of the courts for which he acted, seal them with the seal of such court, and sign them.(52) He was empowered to issue commissions to examine witnesses, and in the absence of the judge, to issue orders of arrest, sequestration attachment and provisional seizure.(53) Whenever the district or parish judge was a material witness in a cause, it became the duty of the clerk to administer the oath to him, and take down his evidence in writing, if required by either party in such cause.(54)

The clerk was required to keep at least two records; 1) for setting down the titles of the different cases pending before the court, giving information relative to the filing of petitions, answers, and the names of attorneys of the parties, and 2) for setting down all the orders and judgments rendered, including motions made by the parties or their counsel.(55)

All documents, papers, and minutes of the court were ordered kept by the clerk in a closet or desk, under key.(56)

The clerk's office was also a depository for all oaths or affirmations subscribed to by civil and military officers, except those whose jurisdiction extended throughout the state. It was his duty to record these in a "book kept for that purpose" and to transmit every year, on the first of January, to the secretary of state, a list of the names of all officers whose oaths were deposited with him.(57)

It was also the duty of the clerk to make out and deliver to each person who served as juror in the district court, a certificate, specifying the number of days the juror attended court, and the mileage due

51. C. P. (1825) art. 774. In 1833, however, the power of the clerk to grant orders of injunction was withdrawn. La. A., 1833, p. 93, sec. 4. The Code of Practice (1825, art. 304) required the judge to take security in cases of injunction. This duty of the judge was abrogated in 1828 and delegated to the clerk of the district court, who was required to take security, before issuing any writ of injunction in the amount fixed by the judge granting the order. La. A., 1828, #83, sec. 3.
52. C. P. (1825) art. 774.
53. C. P. (1825) art. 780.
54. La. A., 1828, #83, secs. 5, 6, repealed paragraph 4 of

C. P. (1825) art. 338.
55. C. P. (1825) arts. 775-777. The petition, answer, orders of court, interlocutory judgments, together with the final judgment, had to be recorded by the clerk, in a book, within six months after the rendition of final judgment. This applied as well to judgments rendered by an appellate court. Whenever any original documents were lost or destroyed, certified copies, taken from the records, were declared to be legal evidence of the originals. La. A., 1825, p. 212; *ibid.*, 1855, #56, secs. 22-24.
56. C. P. (1825) art. 779.
57. Cf. La. A., 1815, p. 80, secs. 3, 4.

him. Such certificate was receivable in payment of the parish tax or paid out of moneys not otherwise appropriated.(58)

The clerk was enjoined to preserve copies of gazettes containing laws, sent to him by the governor.(59)

The foregoing duties and functions of the clerk were embodied in laws passed prior to the adoption of the Constitution in 1845. This constitution empowered the legislature to vest in clerks of court the authority to grant such orders and perform such duties as would be deemed necessary for the furtherance of the administration of justice.(60) The first legislature under the new constitution vested in the clerk of the district court for Jefferson Parish, the same powers and duties as were exercised by clerks of court in the parish of Orleans, and provided further that he was to receive the same compensation of said clerks, but no salary.(61)

Hence it became the duty of the clerk to keep the records under the direction of the judge; to serve as translator, administer oaths, issue under seal the necessary processes, writs of provisional seizure, attachments, sequestration and arrest in civil cases, and commissions to take testimony.(62) He was required to record in well bound books all oaths of tutors, curators, appraisers, and oaths of office required by law and administered by him; to record bonds of tutors, curators, administrators and dative testamentary executors,(63) and also wills admitted to probate in the district court. It was his duty also to keep the following dockets, to be open to inspection: 1) a general docket, entering briefly all the proceedings that took place in every cause, from the filing of the petition or to the issuance of any conservative writ, so as to make a complete synopsis of all the proceedings in any cause; and 2) a rule docket, in which to transcribe at length all the rules taken in every cause, and the orders made on such rules. A double index of plaintiffs and defendants was ordered kept to the general docket, and an ordinary index to the rule docket.(64)

It was his duty to participate in the drawing of jurors,(65) and to issue to each juror who served, a certificate.(66) He was required to file transcripts of the record in criminal cases appealed to the supreme court in the same manner as in civil cases;(67) to deliver copies of all decrees, judgments or orders by which mortgages were created on property to the recorder of mortgages, at the request of either party;(68) and it was his special duty to see that the tax imposed by law on succession property, belonging in whole or in part to a person

58. La. A., 1823, p. 58, sec. 2.
59. La. A., 1831, #29, sec. 1.
60. Const., 1845, art. 79.
61. La. A., 1846, #96, sec. 19.
62. La. A., 1846, #88.
63. La. A., 1846, #88; *ibid.*, 1855, #56, sec. 16.
64. La. A., 1846, #88.
65. La. A., 1846, #133. See also Jury Commission, *infra*.
66. La. A., 1823, p. 58, sec. 2.
67. La. A., 1846, #125, sec. 9; *ibid.*, 1855, #121, sec. 27.
68. La. A., 1846, #125, sec. 13; *ibid.*, 1855, #56, sec. 17.

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residing out of the state, and not a citizen of any other state or territory of the United States, was collected and paid over. Furthermore, it became the clerk's duty to furnish the auditor, once a year, with a statement or list of the successions opened in his parish, involving heirs, legatees, or donees who were niether residents of the state, or citizens of any other state or territory of the United States, and the amount accruing to such persons. The clerk who failed to furnish such statement was subject to a fine up to \$500, for each and every omission, and held responsible to the state for the amount due.(69)

Following the constitution of 1852 the powers and duties of the clerk of court were fully defined. He was empowered to issue writs of arrest, attachment, sequestration and provisional seizure, and to grant orders for setting sequestration aside, and fixing the amount of bonds therefor; to administer oaths in all cases; to issue commissions to take the testimony of witnesses, and to fix the return day thereof; to grant orders for affixing seals, taking inventories and making partitions, and to order the execution of wills, to confirm testamentary executors; to confirm and appoint tutors and undertutors, to appoint dative testamentary executors, administrators, curators of vacant successions and absent heirs, and attorneys for absent heirs, after giving the notices as required by law; to grant marriage licenses; to order family meetings, and homologate their proceedings, if no opposition is made thereto; to grant orders for the sale of succession property; to order calls in warranty and to issue citations thereon;(70) to grant orders of injunction in the absence of the judge from the parish or when the judge was interested, and when for a specific sum of money shall require bond in an amount one-half over and above the estimated value thorcuf, as certified to by the officer making the seizure. Said injunction could be issued by the clerk on the oath of the party or his attorney that the judge was absent or interested and unable to give the order.(71)

The clerk was empowered to homologate the proceedings of meetings of creditors of insolvent successions and take the necessary bond required of syndics; to issue orders for the advertisement of the filing of tableaux of tutors, executors, administrators, curators of vacant estates and absent heirs, syndics of insolvent successions and insolvent debtors, and to homologate the same.(72)

It was the duty of the clerk to fix the first Saturday in every

69. La. A., 1850, #194, sec. 77. ibid., 1855, #262.
70. La. A., 1853, #329, sec. 1; 72. La. A., 1853, #329, sec. 2;
ibid., 1855, #56, sec. 3. ibid., 1855, #56, sec. 4.
71. La. A., 1853, #329, sec. 1.

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month as the day to homologate accounts and tableaux of distribution(73) and to keep constantly posted in his office a list of all successions wherein tableaux and accounts have been filed, and are pending for homologation.(74)

Whenever the clerk appointed tutors and curators to minors, interdicts and absent persons, it became his duty to cause the bonds given by them to be recorded in the office of recorder of mortgages,(75) but in cases where the tutor or curator was a parent of the minor or interdicted person, and therefore not bound to give bond, the clerk of court appointing such tutor or curator had to cause a certificate of such appointment, as well as the amount of the appraisement of the property described in the inventory of the estate of said minor or interdict, to be recorded.(76) The failure of the clerk (judge or notaries) to cause legal mortgages to be recorded made him liable in damages towards any person who suffered thereby, and also made him subject to removal from office.(77) Whenever the clerk found a succession amounting to not more than \$500, the curatorship of which no person was willing to accept, or when a vacancy existed in such appointment, to which no one demanded the nomination, it became his duty to assume the administration of such succession and cause the effects to be sold and the proceeds applied to the payments of its debts.(78) It was his duty to send to the auditor of public accounts, at the end of every year, a certified list of all the vacant estates opened in his parish during the year, with mention of the name and surname of the deceased, the time of his death, and the name and surname of the curator or executor.(79) In cases where no one accepted the tutorship of a minor because of the required security, it became the duty of the clerk to summon a family meeting, and with its advice appoint a responsible person as tutor, and another as under tutor who were required to comply with existing laws relating to tutors, except that of giving security.(80)

The clerk was empowered to order executors, tutors, curators, administrators, and syndics to file accounts within ten days after such order had been served, allowing one day for every ten miles between the residence of the party so ordered and the courthouse.(81)

In 1867 the clerk was vested with the power to receive and file petitions of intervention and third opposition, and to issue all necessary process therein.(82)

During the period 1868-1880 the clerk of the district court served ex officio as clerk of the parish court. It was his duty to attend the sessions of said court in person or by deputy; to keep three separate dockets for said court, one for probate matters, one for ordinary civil

74. La. A., 1853, #329, sec. 6; 79. Ibid., sec. 20.
ibid., 1855, #56, sec. 11. 80. Ibid., sec. 21.
75. La. A., 1855, #253, sec. 6. 81. La. A., 1855, #56, sec. 6;
76. Ibid., sec. 7. ibid., 1857, #281; ibid.,
77. Ibid., sec. 8. 1880, #106, sec. 5.
78. La. A., 1855, #56, sec. 19. 82. La. A., 1867, #141.

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suits, and one for criminal cases; and at each term of court for the trial of all classes of cases, to prepare duplicate abstracts from such dockets, all cases undisposed of, with an abstract of all rules and orders made in each of such causes at any previous term of court. During sessions when only probate cases were to be tried, he was required to make abstracts in the same manner as aforesaid. The failure of the clerk or deputy to attend the parish court and prepare abstracts subjected him to a fine of \$25 per day or any fraction of a day he was in delay. The neglect or refusal of the clerk or deputy to obey or execute all legal orders of the parish judge was declared a contempt of court and subjected the clerk or his deputy to a fine of \$100 and imprisonment in the parish jail not exceeding ten days.(83)

As clerk of the parish court he issued citation, copies of petitions, executions, writs of seizure and sale, injunctions, attachments, provisional seizures, arrests and all other writs or orders ordered to be issued by the court in session or in chambers; he gave official copies of all records not required by law to be issued by the parish judge, and for such services he was entitled to the fees provided by law.(84)

The parish judge acted as his own clerk in cases appealed from justices of the peace, issued all orders and writs pertaining thereto, and received the fees therefrom.(85)

Before the clerk filed any suit in the parish court he was directed to demand a deposit of \$5 from the party applying to file a suit. From the deposit the costs of the clerk and sheriff were deducted, the clerk retaining one-half, and the other half to be paid over to the sheriff as fast as the sheriff's fees accrued. The clerk and sheriff were entitled to collect the residue of their costs in every case, every six months on the first day of January and July.(86)

With the abolition of the parish court and the re-organization of the district court, the powers and duties of the clerk of court were re-defined. In most respects his duties and powers were similar to those prescribed by laws passed in 1853 and 1855.(87) He was empowered, in the absence or recusation of the district judge, to grant writs of injunction; to order the execution of wills to confirm testamentary executors;(88) to grant orders of garnishment under writs of fieri facias, or attachments, and orders of appeal, and to fix the amount of bond for such appeals where the same was not fixed by law.(89) His powers were further supplemented in this respect in 1894. He was directed to grant writs of injunction, allow intervention, grant orders of third opposition, with or without injunction, appoint special tutors or tutors ad hoc, appoint advocates to absentees, grant orders setting aside writs

83. La. A., 1868, #51, sec. 4;
ibid., 1869, #110, sec. 1.
84. La. A., 1869, #110, sec. 1.
85. Idem.
86. La. A., 1870, #101, sec. 7;
ibid., 1877, E. S., #15.

87. La. A., 1880, #106; ibid.,
1882, #43.
88. La. A., 1880, #106; ibid.,
1882, #43
89. La. A., 1884, #75.

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of arrest, attachments, provisional seizures, sequestrations, and to fix the amount of bond therefor, except in cases where the amount of bond was fixed by law; to grant orders for the sale of succession property upon the application of the administrator, tutor, or curator, if the application was accompanied by a statement of the debts of the succession.(90)

The clerk is required to keep a book known as the record of the registry of the court for his parish for the purpose of recording and indexing therein every order or judgment granted by a court of competent jurisdiction, either ordering a deposit in, or a withdrawal from the fiscal agency designated as the registry of the court. All such orders must be properly filed in the records of the clerk of court. Whenever, under a judgment or order of the district judge or by a court of superior jurisdiction, any monies, stocks, bonds, notes, deeds, contracts, or documents of any nature belonging to minors, interdicts, absentees, or persons unknown is to be deposited for safe-keeping, the said deposit must be made in the registry of the court by the clerk of court, in the manner directed by the judge. It is his duty to demand a receipt for said deposit and file and record it in the record. The deposit, when made, can only be withdrawn in accordance with provisions of the order or judgment of the court having jurisdiction. The delivery of the deposit made by the fiscal agency under an order or judgment, is a full discharge of all further liabilities on the part of the fiscal agency. Duplicate receipts of delivery are required and a copy thereof delivered to the clerk of court and by him inscribed in the record of the registry of the court.(91)

The clerk has certain judicial powers in cases in which the district court has concurrent jurisdiction with the justices of the peace (up to \$100). In such cases the cause of action or claim, the exceptions, the answer, or other pleas or demands need not be made in writing, and the parties can state verbally their demands, exceptions, answers, and other pleas to the clerk of court. If the demand is in writing, a copy of it cannot be served at the expense of the defendant.(92) In cases of this type, when the plaintiff or his attorney informs the clerk of the cause of action and of his desire to institute suit, the clerk is required to note in a book, known as the "Clerk's Book", the title and number of the case, in addition to docketing it on the regular court docket, and in said book briefly state the cause of action and issue citation thereon directed to the defendant.(93) In addition to entering the number and title of the case, the cause of action, the issuing and delivery of the citation, exceptions offered, if any, the answer and other pleas and motions for new trials made or filed before him, the clerk must also enter thereon defaults taken before him and judgments rendered by him, and reduce to writing such judgments and sign them. Should a written plea be filed, a mere note of the fact, in lieu of entering the plea more fully, may be made in the book.(94)

90. La. A., 1894, #13. ibid., 1928, #223, sec. 1.
91. La. A., 1920, #246. 93. Ibid., sec. 2.
92. La. A., 1922, #47, sec. 1; 94. Ibid., sec. 10.

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confirmation of defaults before him, the clerk must note all documents offered in evidence, and reduce to writing the oral evidence offered, and preserve the same in each case separately, together with all other documents belonging to the case.(95)

The clerk may demand ten dollars advance costs from any plaintiff in each ordinary suit. In cases where the defendant waives service, only five dollars can be demanded as advance costs, and in confessions of judgment only two dollars can be demanded on filing suit. Such deposit is applied to the clerk's and sheriff's costs. The clerk may also demand security for costs at the time of filing suit as well as for all accrued costs, after the advance deposit has been exhausted. All costs which are due are collectible January 1st and July 1st during the pendency of the suit, upon an itemized and verified account being approved by the judge.(96)

The office of the clerk of court is the filing office of certificates of death made out by the coroner,(97) and since 1875 it has been his duty to keep a book of inquests, open to the public at all times, for inscribing the proces verbal of all coroner's inquests or post mortem examination.(98)

The clerk's office is also a filing office for various instruments of public notice. He is authorized to keep an alphabetical index of persons conducting a business under an assumed name;(99) lists of persons convicted of crimes punishable at hard labor or imprisonment in the penitentiary;(100) and statements of expenses of candidates for public office.(101) He receives the boxes containing the ballots case at any election, including other election returns provided for by law, and retains such ballots and returns for at least six months, when he is authorized to destroy them.(102)

The clerk performs many other functions in addition to his own duties. He is ex officio jury commissioner, registrar of marriages, and recorder.(103) Whenever there is a vacancy in the office of president

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| 95. <u>Ibid.</u> , sec. 11. | 98. <u>La. A.</u> , 1875, #27, sec. 1. |
| 96. <u>La. A.</u> , 1898, #203, secs. 4, 5; see also <u>La. A.</u> , 1839, #65, sec. 1; <u>ibid.</u> , 1842, #154, sec. 12; <u>ibid.</u> , 1870, #101, sec. 7; <u>ibid.</u> , 1877, E. S., #15, sec. I. The clerk is prohibited from charging the state with the court costs in any case of adjudication of lands to the state. <u>La. A.</u> , 1898, #170, sec. 59; <u>ibid.</u> , 1910, #315, sec. 3. | 99. <u>La. A.</u> , 1918, #64, sec. 3. |
| 97. <u>La. A.</u> , 1855, #93, sec. 5; <u>ibid.</u> , 1868, #161, sec. 5. | 100. <u>La. A.</u> , 1880, #123, sec. 40; <u>ibid.</u> , 1898, #199, sec. 36; <u>ibid.</u> , 1908, #98, sec. 40; <u>ibid.</u> , 1921, E. S., #122, sec. 31. |
| | 101. <u>La. A.</u> , 1916, #130, sec. 73; <u>ibid.</u> , 1932, #160. |
| | 102. <u>La. A.</u> , 1894, #181, sec. 47; <u>ibid.</u> , 1898, #152, sec. 23; <u>ibid.</u> , 1916, #130, sec. 23. |
| | 103. See essays on Jury Commission, Clerk of Court as Registrar of Marriages, and Clerk of Court as Recorder. |

of the police jury he convenes that body.(104)

The clerk has discharged other functions which he no longer performs, such as stamper of weights and measures, as a member of the board of parish assessors, and as registrar of voters.(105)

The records of the clerk of court as ex officio recorder will be found listed in entries 166 to 237; the court records of which the clerk is the custodian will be found listed in entries 249-312; the marriage records of the clerk are listed in entries 445-450.

238. CLERK'S BOOK, PARISH OF JEFFERSON, Sept. 19, 1922--. 1 vol. Records of suits involving claims of \$100 and under wherein the district court has concurrent jurisdiction with justice of the peace courts, and the clerk of court has power to issue judgment in case of default; giving docket number, title of suit, cause for action, name of attorney for plaintiff, list of papers filed, and filing dates. The docket numbers are those of the district court docket, and these cases are entered in both records. Arr. numer. by docket nos. and chron. by dates instituted. For index see entry 239. Hdw. 304 pp. 12 x 10 x 2. Clerk's vault, 2nd floor.

239. INDEX TO CLERK'S BOOK, PARISH OF JEFFERSON, Sept. 19, 1922--. 1 vol. Alphabetical index to Clerk's Book, Parish of Jefferson, entry 238, by first letter in surname of plaintiff, chronologically thereunder, giving name of defendant and page number of record. Hdw. 75 pp. 18 x 11 x 1. Clerk's vault, 2nd floor.

240. REGISTRY OF THE COURTS, Oct. 29, 1920--. 1 vol. Recorded copies of court orders containing directions for the handling of moneys, stocks, bonds, and other articles of value in cases involving minor heirs, interdicts, persons unknown and absentees; including orders for the payment of funds to the clerk of court for deposit in a fiscal agency by him to the credit of the owners; orders for the payment, out of funds held by tutors for the account of minors, of attorney and notarial fees and court costs in successions; orders for the payment of refused legacies into the state treasury; and orders for the withdrawal from fiscal agencies and payment to the rightful owners of funds deposited by the clerk of court; giving on each order name of court and clerk, docket number and title of case, amount involved, name of owner, name of person having custody of funds, and date of order. Also included in this record are copies of receipts from fiscal agencies acknowledging deposits made by the clerk; receipts obtained by the clerk from parties to whom he has paid moneys; and notations by clerk that payments were made by him, in certain cases. For index see entry 241. Hdw. Approx. 300 pp. 16 x 10 x 2. Clerk's vault, 2nd floor.

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| 104. <u>La. A.</u> , 1850, #37. | Weights and Measures, Assessor, |
| 105. See essays on Inspector of | and Registrar of Voters. |

241. INDEX TO REGISTRY OF THE COURTS, Oct. 29, 1929--. 1 vol. Alphabetical index to Registry of the Courts, entry 240, by first letter in surname of legal owner, giving page number of record. Hdw. 75 pp. 16 x 10 x 1/2. Clerk's vault, 2nd floor.

242. STANDARD DIARY, [Daily Court Schedule], 1929--. 11 vols. Calendar of cases scheduled for hearing on each day of court term; giving docket number, and title of case. This record is kept by the clerk of court for his own convenience. Arr. chron. by dates of sessions. No index. Hdw. Aver. 200 pp. 10 x 8 x 1. Clerk's vault, 2nd floor.

243. COPIES OF REPORTS TO LA. STATE BUREAU OF IDENTIFICATION AND INVESTIGATION, 1929--. 1 steel file drawer.

Copies of yearly reports made by the district attorney to the attorney general under Section 1147, Revised Statutes, concerning the disposition of criminal and juvenile cases coming within the jurisdiction of the court from 1927 to 1929 inclusive, and copies of reports made semi-annually by the clerk of court to the Department of State Police on criminal cases, 1930--. District Attorney reports give judicial district number, inclusive dates of year reported on, nature of offenses, numbers of convictions, hangings, penitentiary and parish jail sentences, fines levied, acquittals, cases nol prossed, cases pending, cases in which punishment was escaped through defects of law, and remarks. Clerk's reports give judicial district number, inclusive dates of period reported on, docket number of each case, name of prisoner, color, crime, date of sentence, and disposition. Included in this record is general correspondence pertaining to criminal cases. Arr. chron. by dates of reports. No index. Typed, and typed under printed headings. Approx. 200 pieces. 16 x 11 x 26. Clerk's vault, 2nd floor.

244. WITNESS BOOK, Jan. 12, 1923--. 4 vols.

Memoranda and letters to the clerk of court by private counsel and the district attorney requesting that summons be issued for witnesses in civil and criminal cases and for those required to appear before the grand jury; giving date of request, names of witnesses to be subpoenaed, dates they are to appear; and in the case of trial witnesses, docket number and title of case; signature of counsel or district attorney making request and notation by clerk as to date summons was issued. Requests from the district attorney also bear notation by clerk as to date and time of reception. Memoranda are written on pages of volume and letters are pasted in. Arr. chron. by date of request. No index. Hdw. and typed. Vols. aver. 400 pp. 14 x 6 x 4. Clerk's vault, 2nd floor.

245. JURORS' CERTIFICATES, 1904-09, 1924--. 5 vols. Missing 1909-24. Title varies: Petit Jury Certificates.

Stubs of certificates issued to witnesses and jurors in payment for service, and from 1938--, for grand jury service also; giving certificate date, name of juror, number of days served, term of court, number of miles traveled, and total amount due for service and mileage. From 1904-09 deductions were made from total amount due in cases where juror owed poll taxes to parish. Arr. chron. by dates issued. No index. Hdw. on printed forms. Vols. aver. 500 pp. 8 x 14 x 2, 16 x 14 x 3. Clerk's vault, 2nd floor.

246. JOURNAL, May 1908-May 1912, July 1917-Oct. 1919, Jan. 1921--. 26 vols. (vols. 1926--, labeled 14-28).

Daily record of money collected by the clerk of court, detailing fees collected for recording mortgages, conveyances, and other instruments for issuing certificates of mortgage and conveyance, and certified copies of documents; and for cancelling notes. Fees transferred from docket, and those collected for marriage licenses issued are entered in lump sums at irregular intervals, and total fees deposited are shown. Detailed entries give name of payer, nature of service rendered by clerk, parties at interest, and amounts paid. Arr. chron. by date of entry. No index. Hdw. Aver. 400 pp. 14 x 9 x 2. 1908-33, Clerk's vault, 2nd floor; 1934--, Recorder's vault, 1st floor.

247. CASH BOOK, June, 1920--. 5 vols. (Last 4 vols. no. 1-4).

Record of fees collected from various sources by the clerk of court and ex officio recorder, including those for the recording of mortgages, conveyances, marriage licenses and other instruments, issuing of mortgage and conveyance certificates, and court and sundry fees; giving date collected, amount of fee, name of payer, and type of service rendered. Pages are ruled into columns and each class of fee is entered under a separate heading; total daily collections are given in a column set aside for that purpose. Arr. chron. by date of entry. No index. Hdw. under printed headings. Vols. aver. 400 pp. 16 x 21 x 3. Recorder's vault, 1st floor.

248. RECEIPT BOOK FOR RECORDS, 1880-1916, 1930--. 3 vols.

Title varies: Receipts.
Court orders for the transfer of records to another depository, and the delivery of records to attorneys and other interested persons requiring them for reference use; and receipts acknowledging delivery of records by the clerk of court to persons temporarily entrusted with their custody. Receipts give date, type of document withdrawn, and signature of person receiving same; and, if a court paper, number and title of case to which it pertains. Arr. chron. by withdrawal dates. No index. Hdw. Vols. aver. 150 pp. 6 x 8 x 1 to 16 x 10 x 2. Clerk's vault, 2nd floor.

IV. COURT OF APPEAL

Courts of appeal were created by the Constitution of 1879, and Jefferson Parish was designated as part of the fifth circuit, there being four other circuits in the State, excluding the parish of Orleans.⁽¹⁾ This initial organization of circuits remained unchanged until August 1, 1900, when the parishes of Jefferson, St. Charles, Plaquemines, and St. Bernard were placed within the jurisdiction of the court of appeal for the parish of Orleans. All appeals pending or instituted after that

1. Const., 1879, arts. 80, 97.

date were returnable to the court of appeal for the parish of Orleans.(2)

When the court of appeal was established, the general assembly, in joint session, elected two judges to preside over each court. The first judges of the courts of appeal were elected for the following terms: One judge for each court for a term of four years, and one judge for a term of eight years.(3) The first terms were staggered in order that one judge would thereafter be elected every four years, but serving a term of eight years.(4)

The Constitution of 1898 provided that the court of appeal for Orleans was to be composed of the two judges then holding office, and a third judge to be elected by the voters of Orleans Parish at the congressional election in 1898, and whose term was to expire on August 1st, 1900. His successor was to be elected at the general state election of 1900 for a term of eight years from that date. On August 1st, 1900, the judge of the court of appeal for the fifth circuit who was elected in the year 1896 was to become a member of the court of appeal for Orleans Parish, and together with the judge of that court elected in 1896, serve until the congressional election of 1904. At that election one judge was to be elected for a term of six years, and one for a term of eight years. Thereafter judges of said court were to be elected for a term of eight years by the voters of the circuit.(5)

The Constitutions of 1913 and 1921 made no changes in the the number of judges to compose the court of appeal for Orleans Parish,(6) but since 1921 their terms have been increased to twelve years.(7)

No person is eligible for election as judge of the court of appeal unless he is a citizen of the United States, has resided and practiced law in the state for six years, and has been a resident of the circuit from which he is to be elected for at least two years preceding the election.(8)

Until judges of the court of appeal were elected by the voters of their circuit, vacancies caused by death, resignation, or otherwise were filled in the same manner as the original appointments, i.e., by the general assembly in joint session. If the general assembly was not in session at the time the vacancy occurred, then the governor was empowered to fill the same by granting a commission to expire at the end of the ensuing session of the general assembly.(9) Since 1898, vacancies have been filled by the governor, with the advice and consent

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| 2. Const., 1898, art. 131;
Const., 1913, art. 100;
Const., 1921, art. VII,
sec. 78. | 7. Const., 1921, art. VII,
sec. 76. |
| 3. Const., 1879, art. 96. | 8. Const., 1879, art. 96;
Const., 1898, art. 131;
Const., 1913, art. 131;
Const., 1921, art. VII,
sec. 76. |
| 4. La. A., 1880, #16, sec. 1. | 9. La. A., 1884, #2, secs. 1,
2. |
| 5. Const., 1898, art. 131. | |
| 6. Const., 1913, art. 131;
Const., 1921, art. VII,
sec. 76. | |

of the senate.(10)

Judges of the court of appeal are removable for the same reasons, are tried by the same authorities, and may retire under identical conditions as judges of the district court.(11)

The Constitution of 1879 fixed the salary of each judge of the court of appeal of \$4,000 per annum, payable on the warrant of the judge.(12) The salary of judges of the court of appeal for Orleans was increased to \$5,000 per annum by the Constitution of 1913,(13) and since 1921 it has been fixed at \$6,000 per annum.(14)

Since its inception the court of appeal has exercised appellate jurisdiction only, which, however, has been enlarged by subsequent constitutional provisions. Under the constitution of 1879 the court's jurisdiction extended to all cases, civil or probate, when the matter in dispute, or the funds to be distributed exceeded \$100, and did not exceed \$2,000, exclusive of interest.(15) This jurisdiction was not changed by the Constitution of 1898, which provided that appeals for Jefferson and other contiguous parishes were to be returnable to the court of appeal for Orleans Parish. In addition the court was given appellate jurisdiction of cases from the city courts of New Orleans.(16) This jurisdiction was expanded in 1913 to include all civil and probate cases of which the civil district court of the parish of Orleans or the District courts throughout the state exercised exclusive original jurisdiction and of which the supreme court was not given jurisdiction when the matter in dispute did not exceed \$2,000; and all appeals were to be made both upon the law and the facts.(17) Since the Constitution of 1921 has been adopted,

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| 10. Const., 1898, art. 131;
Const., 1913, art. 131;
Const., 1921, art. VII,
sec. 21. | (1885); State vs. Judges Court of Appeal 4th Circuit, 37 La. Ann., 120 (1885); State vs. Judges Court of Appeal, Orleans Parish, 42 La. Ann., 1087; |
| 11. See essay on District Court, District Judge, <i>infra</i> . | State vs. Judges Circuit Court of Appeal, 43 La. Ann., 1164 (1891). |
| 12. Const., 1879, art. 105;
Const., 1898, arts. 105,
131. | 16. Const., 1898, arts. 98, 131;
Cassard vs. Tracy, 52 La. Ann., 835 (1899); State vs. Parsons, Dist. Atty., 120 La. 263 (1908); Sanders Baptist Church vs. Dennis, 7 Orleans App. 410 (1910); Borde vs. Lazarus, Michel & Lazarus, 127 La. 122 (1911); Lewis vs. Harvey, 131 La. 419 (1912); Succession of Huxen, 149 La. 61 (1921). |
| 13. Const., 1913, art. 99. | 17. Const., 1913, art. 98. |
| 14. Const., 1921, art. VII,
sec. 76. | |
| 15. Const., 1879, art. 95; La. Ice Co. vs. State Nat'l. Bank, 32 La. Ann., 597 (1880); State vs. Judges Circuit Court of Appeal for the Second Circuit, 32 La. Ann., 774 (1880); M. V. Gray vs. S. Gray, 36 La. 868 (1884); State vs. Judges Court of Appeal Orleans Parish, 37 La. Ann., 109 | |

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the appellate jurisdiction of the court has been extended to all cases, civil and probate, of which the district court has original jurisdiction, regardless of the amount involved, or concurrent jurisdiction exceeding \$100, exclusive of interest. It also exercises appellate jurisdiction over cases from city courts where the amount in contestation is more than \$100 in principal.(18)

When Jefferson was part of the fifth district, two terms of court were held in the parish each year, as fixed by the judges.(19) Appeals from the district court of Jefferson, since the adoption of the Constitution of 1898, are tried by the court of appeal for Orleans Parish in the city of New Orleans, holding sessions from October until the end of June.(20)

All appealed cases are tried on the original record, pleadings and evidence. The rules of practice regulating appeals and procedure, in the supreme court apply, so far as they are pertinent, in the courts of appeal.(21)

The judges may issue writs of habeas corpus, mandamus, prohibition, and certiorari, in aid of their appellate jurisdiction.(22) They have no original jurisdiction to issue injunction;(23) they cannot issue mandamus directed to the district court in suits involving more than its

- 18. Const., 1921, art. VII, secs. 29, 51, 77; State vs. Winfield, 127 La. 755; State vs. Ott, 144 La. 948; Walker vs. Superior Brass & Foundry Co., 152 La. 630 (1922); Clementine vs. Ritchie, 155 La. 263 (1924); Riccobono vs. Kearney, 164 La. 844 (1927); Bunol vs. Bunol, 168 La. 391 (1929); Bussey vs. Wise-Miller, 14 La. App., 104 (1930); Hunley vs. Ascani, 14 La. App., 82 (1930); Ducre vs. Milner, La. App., (1932); 162 So. 618.
- 19. Const., 1879, art. 98.
- 20. Const., 1898, art. 131; Const., 1913, art. 131; Const., 1921 art. VII, sec. 76.
- 21. Const., 1879, arts. 102-103; Const., 1898, arts. 103-104; Const., 1913, arts. 103-104; Const., 1921, art. VII, secs. 27-28; Brooks vs. Dolard, 1 McGloin 279 (1880); Smith vs. Cumberland Tel. & Tel. Co., 126 La. 168 (1910); Thomas vs. Goodwin, 120 La. 504 (1908); State vs. Judges Court of Appeal, 1st Circuit, 48 La. Ann., 1079 (1896); Goldstein vs. City of Shreveport, 119 La. 957 (1907); Globe Realty Co., vs. Vix, 120 La. 95 (1908).
- 22. Const., 1879, art. 104; Const., 1898, art. 104; Const., 1913, arts. 104-105; Const., 1921, art. VII, sec. 2; Paul vs. Tabony, 157 La. 400; Riccobono vs. Kearney, 164 La. 844; State vs. Judge Tenth Judicial District, 43 La. Ann., 934 (1891); Troegel vs. King, 46 La. Ann., 421 (1894); St. Tammany Lumber Co., vs. Stewart's Creditors, 134 La. 374 (1914); Truxillo vs. Gilbert, 14 La. App. 229, (1930); State vs. Judge 10th Jud. Dist., 43 La. Ann., 936 (1891); State vs. Judge 1st. Dist. Court Caddo Parish, 45 La. Ann., 1206 (1893); Lavoy vs. Toye Bros., 159 La. 209 (1925).
- 23. Seiss vs. Couvillion, 4 La. App. 277 (1926).

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appellate jurisdiction(24) and they cannot, by certiorari, compel a district judge to grant preliminary injunction or prohibition against sale under executory process.(25)

Concurrence of the judges is considered final, but whenever the two judges disagree they are required to appoint a lawyer or (after 1898) a district judge having the qualifications of a judge of the court to aid in determining the case.(26) The court also has the power to certify to the supreme court any question of law arising in any case pending before it, concerning which, for its proper decision, it desires the instruction of that court. The supreme court may give instruction which is binding on the court of appeal, or it may require that the whole record be sent up for consideration, and thereupon decide the whole matter as if it had been on direct appeal to the supreme court.(27)

In the event the docket of any court of appeal becomes congested, they may apply to the supreme court, who may assign three district judges to serve pro tempore, as an additional section of said court of appeal.(28)

In cases where one judge of the court of appeal is recused for any cause as prescribed by law, and there is no cause for recusation of the other, the one not recused is authorized to appoint a lawyer having the qualifications of a judge, or a district judge of his circuit, to act with him. When both judges are recused, they each appoint a judge of the district court, who act together.(29)

The clerk of court in Jefferson Parish was ex officio clerk of the court of appeal until 1900, when all appeals were declared returnable to the court of appeal for Orleans Parish.(30) Since 1899 a clerk for the court of appeal for Orleans Parish has been elected by the voters

- 24. Police Jury Rapides Parish vs. Matthews, 5 La. App., 702 (1926).
- 25. State vs. Morgan, 19 La. App., 709 (1930).
- 26. Const., 1879, art. 101; Const., 1898, art. 102; Const., 1913, art. 102; Const., 1921, art. VII, sec. 26. State vs. Judges Court of Appeal, N. O. 50 La. Ann., 644 (1898); Colvin vs. Johnston, Sheriff, 104 La. 655 (1901); Thomas vs. Goodwin, 120 La. 504 (1908); Brown vs. Ragland, 35 La. Ann., 837 (1883); State vs. Judges Circuit Court of Appeal, 4th Circuit, 49 La. Ann., 337 (1897).
- 27. Const., 1898, art. 101; Const., 1913, art. 101; Const., 1921, art. VII, sec. 25; Monteleone vs. Seaboard Ins. Co., 126 La. 807; Fuller vs. Duke, 124 La. 396; Pugh et al vs. St. L. I. M. & S. Ry. 50 La. Ann., 1378 (1898); In re Murff, 50 La. Ann., 998 (1898); Rimmer vs. Jones, 117 La. 910 (1906).
- 28. Const., 1921, art. VII, sec. 30.
- 29. La. A., 1880, #10.
- 30. Const., 1879, art. 121; Const., 1898, art. 122.

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of the parishes over which the court exercises appellate jurisdiction. He holds office for a term of four years, and is required to give bond in the sum of \$5,000. He is authorized to appoint deputy clerks, and fix and pay their salaries.(31)

The court of appeal and all other inferior courts are under the supervisory control of the supreme court.(32) In cases of death, resignation, or removal from office of any supreme court justice, the supreme court is directed to fill such vacancy by selecting a judge of one of the courts of appeal from a supreme court district other than that in which such vacancy occurs, until the next ensuing congressional election,(33) unless the unexpired portion of the term is two years or more in which case the governor must call a special election, to be held within four months after the vacancy occurs.(34)

Whenever three members (since 1921 four members) of the Supreme Court cannot concur in any case, because of recusation of any member or members, or for any other cause, the court is authorized to call on any judge or judges of the courts of appeal, or district courts, to sit in such case.(35)

Since 1921 the courts of appeal are directed to report and publish their decisions together, under the direction of the judges thereof, in accordance with rules established by them. The publication of such decisions are let by contract to the best bidder.(36)

The records of the court of appeal while it held sessions in Jefferson Parish are located in the second floor vault of the clerk of court. Subsequent records of cases appealed will be found in the records of the court of appeal for Orleans Parish.

249. DOCKET [5th Circuit Court of Appeals], 1880-1900. 1 vol. Calendar of civil suits appealed from the district court, giving docket number, district court number, title of suit, date appealed, list of documents filed, filing dates, and amounts charged for briefs, transcripts of evidence, appearance certificates, filing of briefs, orders

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| <p>31. <u>Const.</u>, 1898, art. 131;
<u>Const.</u>, 1913, art. 131;
<u>Const.</u>, 1931, art. VII,
sec. 79.</p> <p>32. <u>Const.</u>, 1879, art. 90;
<u>Const.</u>, 1898, art. 94;
<u>Const.</u>, 1913, art. 94;
<u>Const.</u>, 1921, art. VII,
sec. 10; State vs. Judges
Court of Appeal 50 <u>La. Ann.</u>,
26; Brunner Mercantile Co.,
vs. Rodgin, 130 <u>La.</u> 358;
<u>La.</u> Board of Dentistry vs.
O'Flerty, 3 <u>La. App.</u>, 589;
State vs. O'Quinn, 5 <u>La.</u></p> | <p><u>App.</u>, 703; State vs. Judges 5th
Circuit Court of Appeal, 48 <u>La.</u>
<u>Ann.</u>, 672 (1896); State vs. Judges
Court of Appeal, Parish of Or-
leans, 37 <u>La. Ann.</u>, 395 (1885);
State vs. Judges Court Orleans
Parish, 33 <u>La. Ann.</u>, 358 (1881).</p> <p>33. <u>Const.</u>, 1898, art. 86 as amend-
ed by #137 of 1904; <u>Const.</u>, 1913,
art. 86.</p> <p>34. <u>Const.</u>, 1921, art. VII, sec. 7.</p> <p>35. <u>Const.</u>, 1898, art. 89; <u>Const.</u>,
1913, art. 89; <u>Const.</u>, 1921, art.
VII, sec. 4.</p> <p>36. <u>Const.</u>, 1921, art. VII, sec. 17.</p> |
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and notices, and recording of opinions and decrees. Arr. chron. No index. Hdw. 300 pp. 18 x 12 x 2.

250. [CALL DOCKET, CIRCUIT COURT], Oct. 11, 1880-Oct. 1883.

In Unappealable Docket, 2nd District Court, entry 280. Calendar of civil causes called for each sitting of circuit court, giving session date, docket number, suit title, names of attorneys for litigants, and notations as to cases taken under advisement, dates fixed for trial, continuations, dates case argued and submitted, missing records ordered produced, and opinions delivered. Arr. chron. by dates of sessions, numer. by docket nos. thereunder. No index. Hdw.

251. FIFTH CIRCUIT COURT OF APPEAL, TRIAL DOCKET, Nov. 22, 1886-Apr. 23, 1900. 1 vol.

Calendar of cases docketed for trial, giving session date, docket number suit, title and names of attorneys for plaintiff and defendant. In some instances the docket number of the district court from which the case was appealed is additionally given. Arr. chron. by dates of sessions, and numer. thereunder by docket nos. No index. Hdw. 320 pp. 16 x 10 x 1.

252. MINUTE BOOK, 5th CIRCUIT COURT OF APPEAL, Oct. 11, 1880-Apr. 23, 1900. 1 vol. (dated).

Record of proceedings of this court in suits appealed from lower courts, giving date of session, docket number and title of suit, names of presiding judges; orders, opinions and decrees of this court, and signatures of judges. Arr. chron. in order considered. No index. Hdw. 500 pp. 18 x 12 x 2 1/2.

253. DOCKET [Opinions and Decrees], May 20, 1885-May 12, 1890. 1 vol.

Recorded copies of opinions and decrees on verdicts and judgments appealed from district court, on applications for re-hearing, and on motions to dismiss appeals, giving appellate court docket number, title of cause, date decree was signed, and names of signatory judges. Arr. numer. by docket nos. and chron. by dates of decrees thereunder. No index. Hdw. 500 pp. 18 x 12 x 2.

V. PARISH COURT (1825-1845)

A parish court was created for Jefferson Parish immediately after its organization in 1825.(1) A judge for the court was appointed by the governor and held office during good behavior.(2) He was vested with all the duties, powers, and was entitled to the same emoluments

1. La. A., 1825, p. 108, sec. 1. sec. 5.
2. Idem; Const., 1812, art. IV,

, (Next entry 254, p. 173)

as judges of other parishes.(3) The judge was removable for any reasonable cause, not considered sufficient grounds for impeachment, by the governor, on address of three-fourths of the general assembly.(4) Although the parish judge received no salary as presiding officer of the parish court, he received fees from many other sources in his capacity as notary public, recorder, auctioneer, and probate judge.(5)

It is assumed that the parish court of Jefferson exercised jurisdiction prescribed by the code of practice inasmuch as said code was adopted in the same year that the parish was established.(6) The court was vested with jurisdiction in all civil cases when the amount in contestation involved less than \$300. Decisions of the court were in the last resort when the amount in dispute did not exceed \$50, and subject to appeal to the district court when it exceeded that sum. Cases where the right to real property was questioned or where the legality of a tax or toll was disputed were also appealable. It had appellate jurisdiction of cases from justices of the peace where the amount exceeded \$10, exclusive of costs.(7)

The jurisdiction of the parish court of Jefferson was enlarged considerably in 1835 when it was given cognizance of all civil cases where the amount in contest did not exceed \$1,000, subject to appeal to the first judicial district court when the amount exceeded \$100. Trial by jury was permitted in all cases exceeding \$100, on the demand of either the plaintiff or defendant, in the filing of the petition or answer in any suit.(8)

In outlining the powers of courts the code of practice declared that the parish judge possessed powers necessary for the exercise of his jurisdiction though the same were not expressly given by law. He

3. La. A., 1825, p. 108, sec. 1, see also Or. Terr. A., 1807, I, sec. 10.

4. Const., 1812, art. IV, sec. 5.

5. See essays on Notaries Public, Recorder, and Probate Court, infra.

6. The code of practice became effective throughout the state on October 2, 1825. The act creating Jefferson Parish was approved February 11, 1825. The parish was probably organized soon after. See footnote 32 Court of Probates, infra.

7. C. P., 1826, art. 128, 1071. The jurisdiction of the parish court, before the code of practice became effective, was limited to personal actions involving not more than \$300, subject to appeal to the district court above the sum of \$100, exclusive of costs. It had appellate jurisdiction of cases from justices of the peace where the amount exceeded \$20, exclusive of costs. Cf. La. A., 1813, p. 18, secs. 19, 20; ibid., 1817, p. 68, sec. 4; see also La. A., 1832, p. 150, sec. 3.

8. La. A., 1835, p. 212, sec. 1. Trial by jury was not permitted in the parish courts except in the parishes of Orleans, St. Tammany and St. Helena, see La. A., 1813, p. 194, sec. 7. In 1835 the Jefferson parish court was given this privilege.

(Next entry 254, p.173)

was given the right to punish all contempts of his authority by fine or imprisonment or both in accordance with the law; to fine jurymen, sheriffs, constables, and other officers of the court for failure to attend or for neglect of duty; to summon and compel the personal appearance of witnesses residing within the jurisdiction of the court; to fine witnesses who failed to testify, or who, without good reason, failed to appear upon summons; to direct communications to judges of other courts, justices of the peace or other persons, to take depositions of witnesses; to order either party or third person to bring into court objects in dispute; to order arrest and imprisonment; to order attachment, sequestration, execution and sale of property; to garnishee money in credits; to issue commissions to take testimony of witnesses; to appoint experts; to issue writs of possessions, distringas, fieri facias, and writs of arrest.(9) A later law empowered the judge to issue writs of habeas corpus, mandamus, certiorari and prohibition in cases not capital.(10)

The recording of judicial proceedings of the court was provided for in an act of 1825, when the clerk was directed to record in a well bound book, within six months after the rendition of final judgment, the petition, answer, orders of court, interlocutory judgments, together with the final judgment of the court rendered thereon. In case of appeal the proceedings of the court of appeal were likewise to be recorded, as well as in cases where the appeal was dismissed or discontinued. For such services the clerk was allowed one-half of the fees allowed him for copying records of appeal, added to the costs of and paid by the party charged to pay the costs in the suit. In any case the fees for such recording could not exceed twenty-five dollars.(11)

The parish court remained in this status until it was abolished by omission from the Constitution of 1845 which vested the judicial power in the supreme court, in district courts, and in justices of the peace,(12) and all suits pending in the parish court of Jefferson, as well as the records pertaining thereto, in which the amount in dispute exceeded \$50, exclusive of interest, were ordered transferred to the district court.(13)

The many other functions which were performed by the parish judge is well illustrated in a decision of the supreme court which states that "under the Constitution of 1812, the judges of the parish courts performed for a period of thirty years, ministerial duties of the most opposite and varied characters. They ordered, as judges of the probate court, the sale of real and personal estate and sold it as auctioneers; they ordered petitions and executed their own orders as notaries public; they received wills as notaries and ordered the same to be executed after the death of the party, as [probate] Judges; and finally, recorded the same as clerk of their own courts. They were Registers of Mortgages;

9. C. P., (1825), arts. 130, 131, 133, 134, 136, 138-141, 144, 239-268, 424-430, 441-443, 636, 641, 726.

10. La. A., 1828, p. 151.

11. La. A., 1825, p. 212, secs. 1-4.

12. Const., 1845, art. 62.

13. La. A., 1846, #141, sec. 2.

they presided over Police Juries; they were judges of election; they authenticated the indentures of apprentices, and in certain cases transferred their unexpired terms; they licensed peddlers, registered births and deaths, recorded the brands of cattle, and held inquests over those who appeared to have come to their deaths by violence."⁽¹⁴⁾ To this we may add the following: they acted as committing magistrates in criminal matters not coming within their jurisdiction;⁽¹⁵⁾ heard complaints of residents of adjacent Spanish provinces claiming ownership of runaway slaves and ordered their return;⁽¹⁶⁾ performed marriages and issued special licenses to priests and justices of the peace to celebrate marriages;⁽¹⁷⁾ and finally they, with six inhabitant freeholders of their respective parishes, tried slaves accused of capital or other crimes.⁽¹⁸⁾

No records of this court were identified by the Survey workers, except perhaps the indexes, entries 255 and 256. It could not be determined, however, whether the civil case papers therein indexed included those of the first parish court.

 VI. CRIMINAL COURT

The court which had jurisdiction of all crimes, except those committed by slaves, in the parish of Jefferson upon its establishment, had its origin in 1818. At that time the court was styled the "Criminal Court of the City of New Orleans" and consisted of a president and two assistant judges, appointed by the governor, with the approbation of the senate, from among jurisconsults who had been duly licensed by the supreme court. In case of absence of one of the judges, the governor was authorized to appoint a jurisconsult as a judicial assessor, to fill the vacancy pro tempore. Any two of the judges constituted a quorum.⁽¹⁾ By virtue of their office, the judges were prohibited from practicing as attorneys in criminal cases, but not in civil.⁽²⁾

The president of the court received an annual salary of \$1,200, and each of the assistants, \$1,000 annually, paid quarterly by the treasurer of the city of New Orleans out of city funds not otherwise appropriated, upon the warrant drawn by the mayor.⁽³⁾

The court appointed its own clerk and a translator, whose duties and functions were identical with those of clerks and translators of the

district courts in criminal cases.⁽⁴⁾ The clerk's salary was fixed at \$1,000 annually, payable quarterly by the state treasurer, on a warrant from the governor.⁽⁵⁾ The translator received such emoluments as were allowed translators of the district court.⁽⁶⁾ The sheriff of the parish and city of New Orleans, or his deputy, attended the sessions of the court and served and executed all its writs, orders, judgments, and sentences, for which he received the same fees as he received for similar services in the first district court.⁽⁷⁾ The attorney-general or his deputy conducted all public prosecutions before the court.

The court was directed to hold sessions in New Orleans, at a suitable place provided by the mayor, beginning on Thursday of every week, and continuing through Saturday, if the business before it was large.⁽⁸⁾ The court could adjourn during the months of August, September, and October, if the city became dangerous from contagious diseases, or on account of the health of the persons whose attendance on the court was indispensable.⁽⁹⁾ Whenever a quorum had not convened, the court was adjourned from day to day by one of its judges, or by the clerk.⁽¹⁰⁾

It was authorized to procure its own seal,⁽¹¹⁾ make rules for regulating its proceedings, issue all writs, make all orders necessary for the exercise of its jurisdiction, and to fine any of its officers for neglect of duty, in a sum not in excess of \$50 for each default, and to punish all contempts by a fine, not in excess of \$50 for any one offence, and also by imprisonment not exceeding ten days.⁽¹²⁾

The court had exclusive cognizance of all crimes, misdemeanors, and offences of whatever nature, committed by any free person or persons in the city of New Orleans and its limits. All prosecutions for capital or infamous crimes, or for offences punishable by imprisonment at hard labor, were by indictment; and prosecutions for other offences, by information, if the court approved the filing of such information.⁽¹³⁾ Grand juries were ordered summoned once in every two months, or oftener when necessary, and the court empowered to fine such jurymen for non-attendance.⁽¹⁴⁾ The court, when in session, and any one of the judges thereof, in vacation time, was empowered to issue writs of habeas corpus in the same manner as any other court or judge of the state.⁽¹⁵⁾

All criminal expenses incurred in prosecutions before the court were paid by the state treasury whenever the criminal was unable to pay the same out of his "goods and chattels," and all fines and forfeitures adjudged by the court were paid to the sheriff, and by him turned over to the state treasury.⁽¹⁶⁾

14. State vs. Judge of the 6th Judicial District, 12 La. Ann. 405.	17. See Clerk of Court as Registrar of Marriages, <i>infra</i> .
15. Or. Terr. A., 1807, I, sec. 3.	18. La. A., 1825, p. 206.
16. Or. Terr. A., 1809, II, sec. 1.	1. La. A., 1818, p. 46, secs. 1, 2.
	2. <i>Ibid.</i> , sec. 14.
	3. <i>Ibid.</i> , sec. 13.

4. <i>Ibid.</i> , sec. 3.	11. <i>Ibid.</i> , sec. 7.
5. <i>Ibid.</i> , sec. 15.	12. <i>Ibid.</i> , sec. 11.
6. <i>Ibid.</i> , sec. 3.	13. <i>Ibid.</i> , sec. 9.
7. <i>Ibid.</i> , sec. 6.	14. <i>Ibid.</i> , sec. 10.
8. <i>Ibid.</i> , sec. 7.	15. <i>Ibid.</i> , sec. 12.
9. <i>Ibid.</i> , secs. 5, 17.	16. <i>Ibid.</i> , sec. 15, 16.
10. <i>Ibid.</i> , sec. 4.	

Examinations, depositions, declarations, confessions, affidavits, bonds, recognizances, and all other documents, pertaining to any criminal cause, received in the city of New Orleans by the magistrates or other persons taking or receiving the same, were transmitted to the clerk of the criminal court. Within fifteen days from the appointment of the clerk, all criminal cases pending before the first district court, for crimes and offences committed in the city of New Orleans, were ordered transferred to him, and prosecuted in the city court to final judgment.(17)

The following year (1819) the criminal court of the city of New Orleans was given original and exclusive jurisdiction of all crimes, misdemeanors and offences committed by any free persons within the limits of the first judicial district,(18) and all causes of a criminal nature pending before the first district court, or the parish court of the parish and city of New Orleans, were to be transmitted without delay to the clerk of the criminal court.(19) Thereafter, the first district court and the parish court of the city and parish of New Orleans, no longer exercised any criminal jurisdiction, except in the prosecution of slaves.(20)

The sheriff, or deputy, of the parish and city of New Orleans, was empowered to serve and execute, in every parish of the first district, all writs, orders, judgments, and sentences issued by the criminal court.(21)

All judges of said court now received an annual salary of \$1,200, paid quarterly by the state treasurer out of the state funds, not otherwise appropriated.(22)

In 1821, the three judges of the criminal court of the city of New Orleans were abolished, and in lieu thereof, one judge, learned in the law, appointed by the governor, with the advice and consent of the senate. He was prohibited from practicing law in any of the courts of the state, either in civil or criminal cases, and his salary was fixed at \$4,000 per annum, payable quarterly out of any monies not otherwise appropriated. After his appointment, the court was to be known as the "Criminal Court of the first District", and every criminal process before the court, after the law was promulgated, was to continue in the status quo, as if no change in the name of the court had taken place.(23) In the same year the sessions of the court were changed from every Thursday in the week, to the first Monday in every month; the manner of drawing jurors was defined, and the number of peremptory challenges allowed to every person on trial for a capital crime or for a crime punishable at

17. Ibid., secs. 18, 19.	sec. 3. Jefferson became a
18. La. A., 1819, p. 42, sec. 1.	part of the first district
The first district at this	when it was created in 1825.
time included the parishes	19. La. A., 1819, p. 42, sec. 5.
of New Orleans, St. Bernard,	20. Ibid., sec. 9.
Plaquemines, St. Charles,	21. Ibid., sec. 3.
and St. John the Baptist.	22. Ibid., sec. 7.
Cf. La. A., 1813, p. 18,	23. La. A., 1821, p. 18.

hard labor was fixed. (24)

A suitable house for holding the sessions of the court was ordered procured by the parish sheriff, at a rental not exceeding \$1,000 a year, to be paid out of the treasury and reimbursed out of a tax for that purpose levied upon the first district.(25)

Whenever the constables attended on the court, by order of the sheriff, each was allowed three dollars per day, and the translator, who had heretofore received such perquisites as was allowed to translators of the district court, received \$1,000 annually, paid quarterly out of the state treasury, on the warrant of the judge.(26)

In 1832 the criminal court was given exclusive jurisdiction of cases to enforce the payment of any sum due to the state for the forfeitures of bonds and recognizances in criminal prosecutions, with the right to cause the judgments rendered in such cases to be put into execution. In such cases, where the amount of the payment exceeded \$300, however, the condemned party could appeal to the supreme court. The court was also given jurisdiction of all suits and prosecutions instituted in behalf of the state for any violation of a public law. In the same year the legislature also provided that the judge of the criminal court of the first district hold two terms of court in each of the parishes composing the district. In Jefferson Parish such sessions were held at the courthouse on the third Mondays of the months of May and September.(27)

The clerk of the parish court in each of the parishes of the district (except Orleans) was declared ex officio clerk of the criminal court, unless there was no such clerk, then the criminal judge was authorized to appoint some person to act as clerk of said court. For such criminal services he received the same fees and emoluments as clerks of the district court. The sheriff or deputy of the parish was directed to attend the court during its session in the parish, and serve and execute its writs and orders. The attorney general or such deputy as he appointed attended such courts and prosecuted all delinquents and offenders, as previously.(28)

All other powers and functions of the court, the disposal of its fines and forfeitures, as well as its method of procedure were continued unchanged.(29) All papers and documents relating to any criminal case or accusation within the limits of the parish had to be transmitted by the parish judge, justices of the peace, or other person taking or receiving the same, to the clerk of the criminal court in said parish, and by him submitted to the attorney general or his deputy.(30) All criminal causes pending in the criminal court of the first district were

24. La. A., 1821, p. 102,	28. La. A., 1832, p. 174
secs. 1-4.	secs. 3, 4-6
25. Ibid., sec. 6.	29. Ibid., secs. 5, 8-14,
26. Ibid., secs. 5-8.	15, 16.
27. La. A., 1832, p. 98; <u>ibid.</u> ,	30. <u>Ibid.</u> , sec. 9.
1832, p. 174, secs. 1, 2.	

to be transmitted to the respective parishes where the crime or offence was alleged to have been committed, within ten days after the promulgation of the act.(31)

Two years later (1834) the criminal court was withdrawn from the parishes of Jefferson, St. Bernard, and Plaquemines, and trials of crimes committed in said parishes were ordered held in the city of New Orleans as formerly.

In 1836 provision was made for holding court in case of absence, death, resignation, interest in a cause, or recusation of the judge of the first district, or of the judge of the criminal court of the first district, or of the judge of the parish court in and for the parish and city of New Orleans, or of the judge of the court of probates in and for said parish and city. When such conditions existed it became the duty of either of the other judges to preside in the interim over the court of which the judge was absent, and while presiding, to discharge all the duties that such judge could discharge if present.(33)

The salary of the interpreter of the court was increased from \$1,000 to \$2,000 per annum in 1837.(34) In 1842, when the state retrenched its expenses his salary was still \$2,000, and at the same time the clerk's salary was fixed at \$1,800.(35) In 1843 there was a further curtailment of salaries. The salary of the criminal judge of the first district was decreased to \$3,500 per annum, and that of the clerk of court to \$1,500; the office of translator was abolished, and his function delegated to the clerk of court, or in case he was unable to perform that duty, by any person appointed by the court, who was paid out of fees due the clerk. Furthermore, constables were no longer to be paid out of the state treasury for attending the criminal court. This duty was hereafter to be fulfilled by the sheriff or his deputy, and whenever he designated constables to attend the court, he was required to pay them at his own expense.(36)

The judicial system of the state was completely re-organized under the Constitution of 1845. The first legislature assembled under the new constitution divided the state into seventeen judicial districts in accordance with a provision in the constitution.(37) Jefferson Parish was placed in the third judicial district(38) thereby transferring criminal jurisdiction to the district court for said parish.(39)

All suits, dockets and other papers of the criminal court of the first district, held in New Orleans, were ordered delivered over to the

31. Ibid., sec. 10.	36. La. A., 1843, #98, secs. 9, 10.
32. La. A., 1834, p. 75.	37. Const., 1845, art. 75.
33. La. A., 1836, p. 104, sec. 3.	38. La. A., 1846, #69.
34. La. A., 1837, #7.	39. Const., 1845, art. 78.
35. La. A., 1842, #155, sec. 2.	

clerk of the newly created first district court of New Orleans,(40) and all cases pending in said criminal court, in which the defendant resided out of the limits of the city of New Orleans, could, on motion of either party, be removed to the respective district court to which they would belong under the new organization. If such cases were fixed for trial in the newly established courts for the city of New Orleans, before motion for a removal had been made, the court wherein the case was pending was directed to retain and adjudge the same.(41)

VII. COURT OF PROBATES

Inasmuch as the probate court was constantly undergoing some modification, (particularly in Orleans Parish of which Jefferson was a part) it has been deemed advisable to show the various stages through which the court had passed from its inception as a territorial court, until a probate court was created for Jefferson Parish in the year 1825. In 1805, the county judge of Orleans, appointed by the governor for a term of four years, was declared to be ex officio probate judge.(1) In this capacity it was his duty to hold court once every month, for the purpose of receiving and proving all wills made within his county; for granting letters testamentary and letters of administration in cases of intestates, and also of directing and approving appraisements made in the county.(2)

The judge was authorized to procure his own seal, to issue process for the summoning of witnesses, and to punish all contempts of his court.(3) In addition to the judge, a register of wills was appointed for the Territory of Orleans, whose duty it was to attend the sessions of the court; to record in a large folio book, under the direction of the court, such wills as were admitted to probate, and all proceedings relating to the same, as well as all duly attested copies of all such wills as were made and registered in every other county.(4) Under the direction of the probate judge, he also performed and discharged all the duties performed by public notaries, in and for the city of New Orleans, respecting the taking of inventories.(5) The compensation of the judge

40. Five district courts were established in New Orleans in 1846. The first district court held criminal jurisdiction. La. A., 1846, #43, secs. 1, 15.

41. La. A., 1846, #43, sec. 17.

1. Or. Terr. A., 1805, XIII, sec. 1.

2. Ibid., sec. 2.

3. Or. Terr. A., 1805, XIII

sec. 4.

4. Ibid., sec. 2. All wills made and proved in the counties outside of Orleans had to be recorded in a large folio book by the county judge thereof, and an authentic copy transmitted to the probate judge at New Orleans, to be recorded by the register of wills. Ibid., sec. 5.

and register was made up of fees, (which the register was permitted to collect for every letter of administration, letters testamentary, for entering and recording wills and other documents) two-thirds of which the register received, and one-third, the probate judge.(6)

In 1807, when parishes were established in lieu of counties, the office of county judge was abolished. In the city of New Orleans with its precincts as they formerly stood, which formed a parish,(7) there was established instead, a city court, whose judge, appointed by the governor for a term of four years, was declared ex officio judge of the court of probates,(8) being assisted by the register of wills when exercising this function.(9)

All causes then pending in the county court of Orleans, as well as all the records of said court, were ordered turned over to the city court.(10)

The civil code, adopted by an act of March 31, 1808, provided that the probate judge ex officio, and the register of wills were entitled to the same fees for the various acts performed by them, as were paid the parish judge and public auctioneers by virtue of the several laws enacted to regulate the same, sharing such fees in the same proportion as defined in the act of 1805.(11) This code also declared that all powers which were given to the register of wills in 1805, and which were not continued in force by the article of the code, were declared repealed.(12) Therefore it is assumed that he no longer registered wills transmitted from other parishes.

In 1813, the probate judge of Orleans was denied the authority to make an inventory or the sale of any estate, but could execute all other probate duties, assisted by the register of wills. Fees were again enumerated and the sharing thereof reaffirmed. The fees to be charged, however, were not to exceed 5% of any inventory of sale.(13) In 1817, the sharing of fees between the judge of the court of probates of New Orleans and the register of wills was no longer sustained, and the register of wills alone was to demand and receive the fees as a full compensation for his services. One-half of his commissions on sales, however, were to be paid quarterly into the state treasury, accompanied with an account of said sales. Because of this change, the register of wills was

5. <u>Ibid.</u> , sec. 6.	Terr. A., 1807, I, secs. 10, 15, 16.
6. <u>Ibid.</u> , sec. 13. In 1807 the register of wills as authorized to charge additional fees. Cf. <u>Or. Terr. A.</u> , 1807, II, sec. 5.	9. <u>C. C.</u> (1808) Book III, Chap. VII, art. 153.
7. <u>Or. Terr. A.</u> , 1807, I, sec. 9.	10. <u>Or. Terr. A.</u> , 1807, I, sec. 31; <u>ibid.</u> , 1808, XII.
8. <u>Ibid.</u> , sec. 29; <u>C. C.</u> (1808) Book III, Chap. VII, art. 153, In parishes outside of Orleans the parish judge was declared ex officio probate judge. <u>Or.</u>	11. <u>C. C.</u> (1808) Book III, Chap. VII, art. 153.
	12. <u>Idem.</u>
	13. <u>La. A.</u> , 1813, p. 176, secs. 5, 6.

now required to post a bond with the judge, in the sum of \$6,000.(14) The probate judge, in place of one-third of the fees, was to receive \$1,000 annually, to be paid quarterly out of any funds in the state treasury not otherwise appropriated.(15)

All letters of curatorship and tutorship of property belonging to estates, and all powers, acts and documents whatsoever which were issued by the court of probates of New Orleans required the joint signature of the judge and register.(16) This act also defined procedure relative to the sale of immovable property or slaves belonging to vacant estates should no heir appear in one year; to the payment of costs when several persons applied for curatorship, and to the appointment of counsel to absent heirs, and their fees.(17) It provided that the district court of the first district(18) was to cease having appellate jurisdiction of causes brought before the court of probates within said district, and that hereafter appeals were to be granted to the supreme court in all estates exceeding \$300 when the matter involved judgments relative to the appointment of curators of vacant estates, of tutors, and curators ad bona (of property); of any judgment ordering a sale above \$300; of any judgment pronouncing the removal of a curator of a vacant estate, a tutor, or a curator ad bona; of any judgment for the settlement of accounts above \$300; and of any judgment ordering the adjudication, to a surviving parent, of property above \$300.(19)

In 1820, the jurisdiction of the court of probates was declared to include all cases which related to the proof and execution of wills, the appointment of curators of vacant estates, absent heirs, minors, and other persons, tutors of minors, the settlement, liquidation, and partition of successions, the putting into provisional possession the heirs of an absentee, the liquidation and payment of all claims against a succession, either vacant or accepted, with benefit of inventory, subject to appeal to the district court in all cases where the value in dispute amounted to \$300 or more, except appeals of the court of probates of New Orleans, where they were still to be brought before the supreme court.(20)

All proceedings and records of the probate court were ordered kept in the English language.(21) All actions brought in the court were to be commenced by petition, directed against any person or persons residing within the jurisdiction of the court. On said application, it became the duty of the probate judge to issue an order to summon the person or persons to appear before his court, within ten days after the service was presented, to show cause, if any, why the prayer of the

14. <u>La. A.</u> , 1817, p. 186, secs. 12, 13.	mines, St. John the Baptist, and St. Charles.
15. <u>Ibid.</u> , secs. 13, 14.	19. <u>La. A.</u> , 1817, p. 186, sec. 6.
16. <u>Ibid.</u> , sec. 15.	
17. <u>Ibid.</u> , secs. 1-5.	20. <u>La. A.</u> , 1820, p. 92, sec. 1.
18. The first district, in 1817, included the parishes of Orleans, St. Bernard, Plaque-	21. <u>Idem.</u>

petition should not be granted. If the defendant or defendants did not answer the petition after ten days from the time of the service of the summons together with a copy of the petition, judgment by default was rendered against such defendant or defendants.(22) When any person opposed the granting of any letters of guardianship, tutorship, or curatorship, on the execution of a will, he was required to file his caveat thereto, by way of answer to the petition praying for the same, stating the reasons for such opposition.(23)

The probate judge was directed to hold court as often as necessary, at such time and place as he selected, for trying all matters at issue before him, and cause all the orders and judgments rendered by him, to be recorded in a large folio book kept for that purpose.(24) The court was empowered to compel the attendance of witnesses, appoint referees, issue commissions for taking the deposition of witnesses, to punish contempt of its authority in the same manner as parish courts; and finally to have all other powers which were not provided for by the act, but which were thought necessary for the exercise of its jurisdiction.(25) All causes cognizable in the probate court were tried without jury, even though a jury was requested by the parties.(26)

All testimony taken in the probate court had to be reduced to writing at the time of the trial and annexed to the records, and all documents produced by the parties were to be filed with the records, unless the parties preferred to make a list of such documents.(27)

The rules prescribed for the granting of a new trial, for signing the final judgment, for allowing an appeal therefrom, the giving of a bond on the said appeal, the effect of the appeal, and the form of bringing the appeal to the district court, were to be the same in the court of probates as those prescribed by law for bringing appeals from parish courts to the district court.(28)

This was the status of the probate court when Jefferson Parish was established, and the parish judge as ex officio probate judge, received the same fees and emoluments as other probate judges outside of Orleans Parish.(29) In the same year (1825), by an act approved February 19, the legislature permitted appeals to be taken from any judgment, order or decree rendered in any probate court, except the probate court of

22. <u>Ibid.</u> , sec. 2.	in case of appeal had to be
23. <u>Ibid.</u> , sec. 3.	read in evidence as if they
24. <u>Ibid.</u> , sec. 4.	had been made a part of
25. <u>Ibid.</u> , sec. 5; <u>C. P.</u> (1825) art. 1040.	the record. <u>La. A.</u> , 1817, p. 24, sec. 12; <u>C. P.</u> (1825) art. 1042.
26. <u>Ibid.</u> , sec. 6; <u>ibid.</u> , art. 1036.	28. <u>La. A.</u> , 1820, p. 92, sec. 8; <u>C. P.</u> (1825) art. 1043.
27. <u>Ibid.</u> , sec. 7. If the documents were not filed, a list thereof had to be made out and signed by both parties or their counsel, which	29. <u>La. A.</u> , 1825, p. 108, sec. 2; see also <u>Or. Terr. A.</u> , 1807, I, secs, 10, 15, 16.

Orleans Parish, to the district court, whenever the amount in dispute exceeded \$50 and did not exceed \$300.(30) Where the matter in dispute exceeded \$300, the appeal was carried directly to the supreme court.(31) The code of practice, however, which the supreme court held, became effective throughout the state on October 2, 1825,(32) provided that an appeal could be taken to the district court when the object in dispute or the property of the succession exceeded \$100 and did not exceed \$300, except those from the parish of Orleans, where no appeal was allowed unless the object in dispute exceeded \$300.(33) Therefore the legislative provision was superseded.

The code of practice defined the powers and functions of the probate court in detail. There were 1) to open and receive the proof of last wills and testaments, and to order their execution and recordation; 2) to appoint tutors and curators for minors, interdicted and absent persons who had no representatives in the state, and for persons incapable of administering their own property; 3) to confirm or reject tutors of minors who may have been appointed by the last will of their parent; 4) to appoint curators to vacant estates and absent heirs; 5) to make the inventories and sales of the succession property administered by curators, or testamentary executors, or in which the heir prayed for the benefit of inventory; 6) to homologate wills in which one or more testamentary executors were appointed, and to issue letters of administration to such executors; 7) to appoint administrators under the will, when the executor appointed by the testator, would or could not perform the duties, or was dead or absent; 8) to remove or supply the places of such tutors, curators, and testamentary executors, in the cases provided by law; 9) to compel administrators to render an account, when required, or at the period fixed by law; 10) to interdict insane persons, and to restore to them their rights when they regained their reason; 11) to compel such heirs as have taken time to deliberate, to declare, when required by the creditors of the deceased, whether they accepted or renounced a succession; 12) to decide on the putting into provisional possession, the heirs of absentees; 13) to decide on claims for money which were brought against successions administered by curators, testamentary executors, or administrators of succession, and to establish the order of privileges and mode of payment; and 14) to ordain and regulate all partitions of successions in which minors, interdicted or absent persons were interested, or even those which were made by authority of law between persons of lawful age residing in the state, when such persons could not agree upon the partition and the mode of making it.(34)

30. When an appeal was taken from the probate to the district court the latter was authorized to award to the appellee, damages not exceeding 10% on the amount of the judgment, order or decree affirmed, if it appeared that the appeal was taken for delay only.	31. <u>La. A.</u> , 1825, p. 204, sec. 2.
	32. <u>La. A.</u> , 1825, p. 204, sec. 1.
	32. "Source Book of Louisiana Law, Part II", in <u>Tulane Law Review</u> , vol. 6, p. 280, which cites William vs. Holloway, 11 <u>La.</u> 515 (1838).
	33. <u>C. P.</u> (1825) art. 1051.
	34. <u>C. P.</u> (1825) art. 924.

The probate judge was authorized to hear summary cases every day at certain hours fixed by him, or as often as it was deemed necessary; but for the trial of contested cases he was required to sit at least once a month.(35) All cases before him, however, were to be decided without a jury.(36) The court was authorized to issue orders of arrest, attachments, sequestration, writs of distringas, provisional seizure, execution and injunction, in all cases where they were necessary; to compel the attendance of witnesses; to issue commissions for taking depositions; to appoint experts, auditors, and arbitrators; to compel parties or individuals to produce title deeds, papers or other objects in their possession; to punish contempts of their authority; and to exercise all such other powers as were necessary to enforce its jurisdiction.(37) The probate judge, as such, however, was not authorized to issue writs of habeas corpus, mandamus, prohibition, certiorari, and quo warranto.(38) The court of probates was authorized to call meetings of creditors of such successions, as were administered under the court's authority, when the curators or executors or other administrators thereof deemed such meetings necessary to determine the wish of the creditors with regard to the method of selling the property.(39) Furthermore, it was authorized to homologate the deliberations of such creditors, as in cases of bankruptcy, and pronounce summarily on such opposition as would be made.(40) Its powers and duties relative to the adoption of rules of procedure; to the taking down in writing the testimony of witnesses; and to the mode of granting a new trial, were re-affirmed by the code.(41)

The probate judge was required to keep two records in the same form as directed for clerks of the district court.(42)

The sheriff of the parish was directed to execute all the orders, judgments, and decrees rendered by the court, and receive therefor the same emoluments as allowed him in the district court. It was his duty to attend the court in person or by deputy, and for such attendance he was allowed one dollar on every cause decided, paid by the party or succession sentenced to pay the costs.(43)

It will be noted that many of the powers and functions of the probate court enumerated in the code of practice were analogous to previous acts of the legislature, but outlined in more detail.

In 1834, the legislature provided that where oaths were required by law to be taken in the court of probates, the judge, clerk of court, or his deputy, could administer them; and all oaths of tutors, curators, appraisers, and other oaths, as well as bonds given by them, were to be

35. C. P. (1825), art. 1035. In New Orleans, however, the probate court sat at least once a week to decide cases pending before it.
 36. C. P. (1825), art. 1036.
 37. C. P. (1825), art. 1037.
 38. C. P. (1825), art. 1041.
 39. C. P. (1825), art. 1038; see also C. C. art. 1160; La. A., 1826, p. 136, secs. 7-11.
 40. C. P. (1825), art. 1039.
 41. C. P. (1825), arts. 1040, 1042-43.
 42. C. P. (1825), art. 1045.
 43. C. P. (1825), arts. 1047, 1048.

recorded in bound books kept for that purpose.(44)

The Constitution of 1845 abolished the probate court as a separate entity, and delegated unlimited jurisdiction in succession matters to the district court.(45) The following year the legislature provided that as soon as the clerk of the district court for Jefferson Parish was elected and qualified, that he take possession of all records, papers, and documents pertaining to successions opened or on file in the court of probates, and make a full inventory of the same, with the assistance of the sheriff. After the inventory was subscribed to by the clerk and sheriff, it was ordered to be filed in the clerk's office.(46)

The records of the court of probates are located in the second floor vault of the clerk of court.

254. [Probate Case Papers], 1825-45. In [Civil Suit Papers and Documents], entry 273.

Original and copies of papers and documents filed in probate proceedings, including petitions to search for wills, returns on petitions, petitions to probate wills, petitions of heirs, orders of court for opening of successions, wills and codicils, orders for inventory and appraisement of estates, letters of appointment and oaths of appraisers, inventories, reports of appraisers, proces-verbaux of family meetings, partitions of assets; letters of appointment, bonds, oaths, and accountings of administrators, curators, and tutors; petitions for homologation accounts, and petitions for emancipation of minors; all giving docket number, succession title, clauses indicating type of document, filing date and signature of recorder. Also contained are notes, vouchers, claims against the estate, and copies of mortgages, releases of mortgage, conveyance and leases which have been introduced as evidence. For index see entries 255, 256. Hdw. and hdw. on printed forms.

255. INDEX TO DOCKET [Index to Civil and Probate Case Papers by] PLAINTIFF, 1825-53. 2 vols. (A, C. dated).

Alphabetical index to probate case papers, see entries 254, 298, and civil suit papers, see entry 273, by first letter in surname of plaintiffs in civil cases, giving docket number and name of defendant; all successions are listed chronologically under the letter "S" and docket numbers are given. Hdw. Aver. 78 pp. 18 x 11 x 1/2.

256. INDEX TO DOCKET [Index to Civil and Probate Case Papers by] DEFENDANT, 1825-53. 2 vols. (A, C. dated).

Alphabetical index to probate case papers, see entries 254, 298 and civil suit papers, see entry 273, by first letter in surname of defendant in civil suits and of deceased in succession, giving docket number and in civil suits, name of plaintiff as well. Hdw. Aver. 78 pp. 18 x 11 x 1/2.

44. La. A., 1834, p. 34, secs. 1, 3.
 45. Const., 1845, art. 78.
 46. La. A., 1846, #141, sec. 3.

257. MINUTE BOOK, PROBATE COURT, JEFFERSON PARISH, Mar. 7, 1843- June 28, 1844. 1 vol. (dated).

Record of probate proceedings conducted in this court. Included in the minutes are court orders for the probating of wills, and those authorizing disbursements from succession funds by executors or placing heirs in possession of succession property; each summary gives succession number and title. Also contains: Criminal Docket, 1850-53, entry 307. Arr. chron. in the order considered. No index. Hdw. 150 pp. 19 x 14 x 1. Civil District Court Archives, Room 302, New Orleans Court Building, New Orleans, La.

VIII. PARISH COURT (1868-1879)

A parish court for Jefferson Parish was again created in 1868 when the Constitution of that year vested the judicial powers in a supreme court, district courts, parish courts, and in justices of the peace. (1) The court was composed of the parish judge, (who was required to be a citizen of the United States and of the state) elected by the voters of the parish for a term of two years; (2) the clerk of the district court or his duly qualified deputy, serving ex officio as clerk of said court; (3) and the parish sheriff or his deputy. (4) The parish judge acted as his own clerk when trying cases appealed from justices of the peace. (5)

Until otherwise provided by the legislature, the constitution fixed the salary of the parish judge at \$1,200 per annum and allowed him such fees as were established by law for clerks of the district court. (6) The first legislature under the new constitution changed this when it provided for the organization of parish courts. Salaries of judges in parishes represented by one member in the House of Representatives were fixed at \$2,000 per annum; judges in parishes having two or more members received \$2,500 per annum, payable quarterly on their own warrant on the state treasurer. (7) In 1868 parish judges were prohibited from receiving any fees of office (8) but the following year this restriction was abrogated when the parish judge was directed to act as his own clerk in cases of appeal from justices of the peace, and entitled him to the same fees as clerks of court received in such instances. (9) In 1877 the salaries of parish judges were reduced. In those parishes which were represented by two members in the House of Representatives, they received \$1,750 per annum; in parishes represented by three members they received \$2,200; in those parishes represented by four or more members parish judges received \$2,500 per annum; judges of parishes having

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| 1. Const., 1868, art. 73. | 5. La. A., 1869, #110, sec. 1. |
| 2. Const., 1868, art. 86. | 6. Const., 1868, art. 86. |
| 3. La. A., 1868, #51, sec. 4; | 7. La. A., 1868, #51, sec. 9. |
| ibid., 1869, #110, sec. 1. | 8. Idem. |
| 4. La. A., 1868, #51, sec. 3. | 9. La. A., 1869, #110, sec. 2. |

one representative received \$1,200 per annum. (10)

The jurisdiction of the court was concurrent with the justices of the peace in all cases where the amount in dispute exceeded \$25 and did not exceed \$100, exclusive of interest; it had exclusive original jurisdiction in ordinary suits where the amount in dispute exceeded \$100, and did not exceed \$500, subject to appeal to the district court when the amount in contestation exceeded \$100, exclusive of interest. (11)

All successions were opened and settled in the parish court, and all suits in which a succession was either a plaintiff or defendant could be brought in the parish or district court according to the amount involved. (12) This was interpreted by the supreme court to mean that the parish court could take cognizance of all suits in which a succession was either a plaintiff or defendant if the amount involved did not exceed \$500. (13) Suits for debt against a succession though less than \$100 or more than \$500 could be tried in the parish court. (14) In probate matters where the amount involved more than \$500, exclusive of interest, the appeal was made directly to the supreme court. (15)

The court exercised criminal jurisdiction of all cases when the penalty was not necessarily imprisonment at hard labor or death, and when the accused waived trial by the jury. (16)

The parish court also took cognizance of suits for separation from bed and board, and divorce when there was no money demand exceeding \$500; suits for interdiction were tried by the court; it acted in the emancipation of minors; (17) in the adoption of children; (18) in matters relative to persons incapable of administering their estates, and in matters

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| 10. La. A., 1877, E. S., #38, sec. 5. | tion without reference to the amount involved. Hebert Tutor vs. Winn et al., 22 La. Ann., 109. |
| 11. Const., 1868, art. 87; La. A., 1875, #28, sec. 1; Newman Bros. vs. Cuney, 30 La. Ann., 1201 Decklar vs. Frankenberger, 30 La. Ann., 410; Gunby's Digest (2nd Circuit Court of Appeals), p. 74; Ellen Edward et al vs. Fielding Edwards, 21 La. Ann., 610; Rogers vs. Morrison, 21 La. Ann., 455. | 13. T. Swan vs A. L. Gayle, adm. 21 La. Ann., 478. |
| 12. Const., 1868, art. 87. The parish court has jurisdiction of a suit for the partition of a succession among the heirs where it had not been accepted unconditionally even though no administrator had been appointed. Pennison vs. Pennison, 22 La. Ann., 131. In the matter of probating a will the court had exclusive jurisdic- | 14. La. A., 1868, #141. |
| | 15. Const., 1868, art. 88; Irving vs. Asman, 23 La. Ann., 236. |
| | 16. Const., 1868, art. 87. In State vs. Williams this was construed to mean that the parish judge had authority to sentence the accused to imprisonment in the penitentiary in criminal cases wherein the defendant waived trial by jury. 30 La. Ann., 1162; see also State vs. Riley, 23 La. Ann., 600. |
| | 17. La. A., 1868, #51, sec. 6. |
| | 18. C. P. (1870), art. 127. |

relative to absentees.(19) The parish judge was empowered to try mandamus in chambers during the recess of the court;(20) and acted as committing magistrate in criminal matters not within the jurisdiction of the parish court.(21)

For a number of years the sessions of the court in Jefferson Parish differed from the several other parishes in that the court was open daily, legal holidays excepted, for the trial of all classes of cases of which it exercised jurisdiction,(22) but in 1877 the court was ordered to hold its terms at the same period as parish courts in other parishes, that is, a regular term every two months.(23) The judge of the court was empowered to fix the months in which to hold such general terms as well as the day of commencement thereof. Special terms for the trial of probate matters required by law to be transacted in open court were ordered held every month in which a general term was not held, the day of commencement of such term to correspond with the day of commencement of the general term. The parish judge could adjourn his court for a week or less from the day of its regular commencement. Whenever the district court was in session in the parish at a time when the parish court was in session, the parish judge was authorized to adjourn his court at his discretion. In case the judge was absent on the day fixed for convening the court, the parish sheriff could open and adjourn the court from day to day for three days. For the trial of criminal causes over which the court exercised jurisdiction, the parish judge could open court on any day except legal holidays.(24) In 1878 the parish judge was authorized to keep his office at the parish seat, and keep open daily, except Sundays and legal holidays, from 10 A. M. to 3 P. M.(25)

The clerk of the parish court was required to keep three dockets for said court, one for ordinary civil suits, one for probate cases and one for criminal cases.(26)

The parish judge was also vested with functions other than judicial. He appointed a district attorney pro tempore in the event of failure of the police jury to do so, and in the event of death, resignation, or other disability of such district attorney, filled the vacancy by appointment.(27) He was also empowered to act in place of the president of the police jury, recorder, or clerk of court in accepting bonds of state and parish officials.(28)

The parish judge could be called to sit and try cases before the district court when the judge of the latter court had a personal interest in the case.(29) He also had power, in the absence of the district

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| 19. La. A., 1868, #186. | 25. La. A., 1878, #23, sec. 1. |
| 20. La. A., 1868, #191. | 26. La. A., 1868, #51, sec. 4; |
| 21. Const., 1868, art. 87. | ibid., 1869, #110, sec. 1. |
| 22. La. A., 1868, #51, sec. 1; | 27. La. A., 1868, #120, sec. 1. |
| C. P. (1870), art. 1035. | 28. La. A., 1869, #95, sec. 2. |
| 23. La. A., 1877, #28. | 29. Const., 1868, art. 90. |
| 24. La. A., 1877, E. S. #38. | |

judge, or when the latter was interested, to act in cases before the district court in granting orders of arrest, attachment, sequestration, provisional seizure, and orders of seizure and sale; to issue writs of possession and distringas; to grant orders setting aside sequestration and fix the amount of bonds therefor, to grant injunctions; to grant appeals; to take testimony of witnesses residing outside of the parish; to appoint tutors and curators ad hoc; and to execute all other writs and orders of the court.(30)

In the event the parish judge was recused for any cause, and no qualified person was available to act as judge, any suit pending could be transferred to an adjoining parish court for action, and all records pertaining thereto were returned to the court in which the suit was originally instituted.(31)

The parish court was abolished by omission from the Constitution of 1879, and its jurisdiction vested in the district court.(32)

The records of the second parish court are kept in the second floor vault of the clerk of court.

Civil
(See also entries 273-289)

258. PARISH COURT [Civil Case Papers], 1868-80. 16 steel file drawers: (Labeled by incl. docket nos.)

Original and copies of case papers and documents filed in civil causes, from institution of suit to final disposition, including petition of plaintiff, citation issued to defendant, answer of defendant, notice of trial, motions of counsel; bills, statements, and notes introduced as evidence; bills of exception; and interlocutory and final judgments, giving on each paper: docket number, title of suit, essential clauses indicating type of document, date filed and signature of clerk. Arr. numer. by docket nos. No index. Hdw. some printed forms used. Aver. approx. 50 envelopes each containing the complete file of a suit. 11 x 5 x 14.

259. CIVIL DOCKET, PARISH COURT, July 25, 1868-Mar. 24, 1880. 1 vol.

Calendar of civil suits docketed; giving number and title of suit; name of attorney for plaintiff; cause of action; dates papers filed, and costs for recording and services of same. Papers filed include citations, answers, notices of trial, and court orders. Arr. numer. by suit nos. and chron. by date suit instituted. For index see entries 260, 261. Hdw. Aver. 300 pp. 15 x 10 x 3.

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| 30. La. A., 1868, #9, sec. 1. | 32. Const., 1879, arts. 80, 109. |
| 31. La. A., 1876, #70, sec. 1. | |

260. [Index To] CIVIL DOCKET, PARISH COURT, [Plaintiff], July 25, 1868-Mar. 24, 1880. 1 vol.
 Alphabetical index to Civil Docket, Parish Court, entry 259, by first letter in surname of plaintiff, chronologically thereunder, giving name of defendant and docket number of suit. Hdw. Binding poor. 26 pp. 15 x 9 x $\frac{1}{2}$.
261. [Index To] CIVIL DOCKET, PARISH COURT [Defendant], July 25, 1868-Mar. 24, 1880. 1 vol.
 Alphabetical index to Civil Docket, Parish Court, entry E 259, by first letter in surname of defendant; chronologically thereunder, giving name of plaintiff and docket number of suit. Hdw. Binding poor. 26 pp. 15 x 9 x $\frac{1}{2}$.
262. MINUTES, PARISH COURT, July 24, 1868-Sept. 1, 1870, Oct. 8, 1872-Mar. 27, 1880. 4 vols. (1868-70, A, B; 1872-80 not labeled).
 Record of proceedings in civil, criminal and probate cases; the content of this record is similar to that described in Minute Book, District Court, entry 284. Arr. chron. by dates of court sessions. No index. Hdw. Aver. 430 pp. 18 x 11 x 2.
263. JUDICIAL RECORD, PARISH COURT, Sept. 8, 1868-June 14, 1869; June 8, 1876-Oct. 7, 1879. 2 vols. (vol. 1876-79 dated).
 Title varies; Civil Record.
 Recorded copies of papers and documents filed in civil causes, including petition of plaintiff, supplementary petitions, citation issued on defendant, return of sheriff on service, answer of defendant, orders of the court, exceptions to rulings, petitions for provisional seizure, confession of judgment, and judgment; all giving docket number, title of cause and date instrument was filed. Also contained are affidavits and copies of accounts which have been introduced as evidence. Arr. chron. by dates filed. No index. Hdw. Aver. 360 pp. 18 x 11 x $\frac{1}{2}$.

Probate

(See also entries 254-257, 298-304)

264. [PROBATE CASE PAPERS], 1868-80. In [Civil Suit Papers and Documents], entry 273.
 Original case papers and documents filed in probate proceedings; for description see entry 254. Hdw., some printed forms used.
265. PROBATE DOCKET, July 25, 1868-Mar. 22, 1880. 1 vol. (C and dated).
 Calendar of probate matters docketed for hearing before this court; giving docket number and title of succession, name of attorney instituting proceedings, amount deposited to cover costs, list of papers filed with filing dates, and amounts charged for filing, recording, and other services rendered by clerk. Arr. numer. by docket nos. and chron. by date of institution. For index see entry 266. Hdw. 600 pp. 17 x 12 x 2.

266. COURT OF PROBATE, [Index to] DOCKET C, July 25, 1868-Mar. 22, 1880. 1 vol. (dated).
 Alphabetical index to probate docket, entry 265, by first letter in surname of deceased, chronologically thereunder, giving docket and page numbers of record. Hdw. 75pp. 18 x 12 x $\frac{1}{2}$.
267. ADMINISTRATORS' BONDS, Aug. 11, 1868-Sept. 20, 1875. 1 vol.
 Original bonds posted by individuals appointed by court to administer estates of deceased persons, and by surviving widows placed in temporary possession of succession property; giving amount of bond, and name of official to whom parties are bound, date executed, and conditions of obligation; signatures of principal, surety, and clerk of court as witness; and in some cases, affidavit of surety as to his worth. Arr. chron. by date of reception. No index. Hdw. on printed forms. 100 pp. 14 x 9 x 1.
 For other similar bonds, see entry 304.
268. CURATORS' BONDS, May 24, 1869-Aug. 18, 1873. 1 vol.
 Original bonds posted by individuals appointed by court as curators of estates of deceased persons and interdicts, or tutors of minors, and by widows who have been, in the absence of other heirs, placed in possession of succession property; giving amount of bond and name of official to whom parties are bound, date of execution and condition of obligations; and signatures of principals, surety, and clerk of court as witness. Arr. chron. by date of reception. No index. Hdw. on printed forms. 100 pp. 14 x 9 x 1.
 For other similar bonds, see entry 304.
269. GENERAL OATHS, Aug. 1, 1868-Aug. 13, 1873. 2 vols.
 Title varies: "Oath Book".
 Original oaths of persons appointed by this court to function as administrators, curators, executors, tutors or appraisers in successions; giving succession title, name and signature of person taking oath, description of duties assumed, date and place instrument was executed, and signature of court official before whom it was sworn to. Arr. chron. by dates of instruments. No index. Hdw. on printed forms. Vols. aver. 150 pp. 14 x 8 x 1.
 For other similar oaths, see entry 303.
270. JOURNAL RECORD, PROBATE, Jan. 22, 1868-Sept. 13, 1872; June 5, 1878-Jan. 26, 1880. 4 vols. Title varies: "Record", "Probate Record of Deeds", "Record of Probate Docket."
 Recorded copies of case papers and documents filed in probate proceedings; the content is similar to that described in entry 300. Arr. chron. by dates recorded. No index. Hdw. Aver. 350 pp. 15 x 11 x 2.
- Criminal
 (See also entries 305-310)
271. [CRIMINAL CASE PAPERS], 1868-80. In Criminal [Case Papers and Documents], entry 305.
 Original papers filed in criminal cases. For description, see entry 305.
 Hdw.

(272)

District Court

272. [CRIMINAL DOCKET], Sept. 4, 1868-Mar. 30, 1880. 1 vol. Calendar of criminal cases docketed for trial before this court, giving docket number, title of case, charge, date original affidavit filed, date warrant issued, dates of subsequent papers filed, and charges for issuing each paper and services. Arr. numer. by docket nos. No index. Hdw. 800 pp. 16x 11 x 3.

IX. DISTRICT COURT

The district court was established throughout the state in 1813 in accordance with a provision of the first state constitution, which provided for a supreme court and inferior courts. (1) The legislature divided the state into seven judicial districts. The first district included the parishes of Orleans, St. Bernard, Plaquemines, St. Charles, St. John the Baptist (2) and after 1825, Jefferson.

For each district one judge was appointed by the governor, with the advice and consent of the senate, (3) who in turn, appointed a clerk of court for each parish in his district, and, whenever he deemed it necessary, an interpreter of the English and French languages. The sheriff of each parish was required to execute all judgments and orders of the district court (4) and the prosecuting attorney conducted all suits in which the state was concerned. In the first district this latter function was delegated to the attorney general. (5)

The court was given jurisdiction of all civil matters, without appeal for any amount under \$300, exclusive of costs; criminal jurisdiction "in all cases of whatsoever nature," and appellate jurisdiction of civil suits instituted in the parish courts when the amount in dispute exceeded \$100, exclusive of costs. (6)

Sessions of the court for the first district were held in the city of New Orleans, beginning on the first Monday of every month and continuing until the business of the term was completed. Special criminal sessions could be held at any time for the more speedy administration of justice. (7) The court was empowered to adjourn during August, September, and October, if the city became dangerous from contagious diseases. (8)

Upon the organization of the court, the clerk of court was authorized to procure, under the direction of the judge, the books, stationery,

1. Const., 1812, art. IV, sec. 1; La. A., 1813, p. 18, sec. 3.	4. La. A., 1813, p. 18, sec. 22, 23, 24.
2. La. A., 1813, p. 18, sec. 3.	5. Ibid., sec. 21.
3. Const., 1812, art. III, sec. 9; art. IV, sec. 5; La. A., 1813, p. 18, sec. 4.	6. Ibid., secs. 4, 15, 19.
	7. Ibid., secs. 5, 15.
	8. Ibid., sec. 5.

District Court

(Next entry 273, p. 193)

office furniture, and seal, to be paid for by the treasurer on warrants signed by the judge.(9) The proceedings of the court in civil as well as in criminal cases were to be governed by the laws of the territorial legislature, and when not inconsistent with the act organizing said court, its powers were to be the same as those vested the late superior court.(10) The court could make all rules necessary for regulating its practice, not inconsistent with any law, which rules, once established, were to remain unchanged until the end of three months after the court declared its intention to alter them.(11)

All suits and records pending before the parish and superior courts, and no longer within their jurisdiction were ordered transferred to the district court.(12)

In 1817, the district court of the first district was directed to fix each week, the causes which were to be tried during the next eight days following, and to fix the particular day on which each cause was to be tried so that there would be not more than three causes fixed for each day.(13) This procedure was abrogated in 1820, and the court was given the right to make its own rules for fixing the causes pending before it.(14)

The jurisdiction of the first district court remained unchanged until 1818 when the criminal court of the city of New Orleans was established. This latter court was given exclusive jurisdiction of all crimes and misdemeanors committed by any free person or persons in the city of New Orleans and its limits, and in the following year, exclusive jurisdiction of all such crimes and misdemeanors committed within the first judicial district.(15) In 1820, the district court was given appellate jurisdiction in all matters relative to successions involving more than \$300, except appeals from the court of probates of New Orleans which were appealed directly to the supreme court.(16) After 1825 appeals from the probate court (except the probate court of Orleans) could be taken to the district court whenever the matter in controversy exceeded \$50 and did not exceed \$300.(17) In the same year, the district court was also authorized to take cognizance of all suits in which the parish and probate judges were interested, as well as suits for the partition or sale of any property lying within the district in which the suit was brought and held in common between several owners. It was given cognizance of all suits for the setting aside and annulling of any bond or conveyance or other instrument relative to lands located in the district; and jurisdiction of all suits for the dissolution of any partnership and the settlement of any partnership accounts, where the partnership was a business carried on within the district where the suit was

9. La. A., 1813, p. 194, sec. 10.	14. La. A., 1820, p. 84.
10. Ibid., p. 18, sec. 16.	15. For a full treatment of the criminal court, see essay on Criminal Court, supra.
11. Ibid., sec. 18.	16. La. A., 1820, p. 92, sec. 1.
12. Ibid., sec. 28.	17. La. A., 1825, p. 204, sec. 1.
13. La. A., 1817, p. 24, sec. 9.	

brought, without regard to any or all of the parties defendant, be they minors or persons residing outside of the state.(18)

Exclusive jurisdiction in divorce cases was conferred upon the district courts in 1827.(19) The following year the first district court and the parish court of Orleans were given concurrent jurisdiction of suits against heirs where a partition of a succession had been or would be made, even though the heirs, or any one of them, resided out of the judicial district.(20) In 1829 the court was authorized to emancipate minors above the age of nineteen years.(21)

Because the Constitution of 1845 vested the judicial powers in a supreme court, district courts, and justices of the peace,(22) a complete re-organization of the judicial system took place the following year. Jefferson Parish was placed in the third judicial district, the limits of which were conterminous with the limits of the parish.(23)

The same number of officers served the court as previously except that no provision was made for a special interpreter. The district court was now given original jurisdiction in all civil suits when the amount in dispute exceeded \$50, exclusive of interest, and unlimited jurisdiction in succession and criminal matters.(24) It was given appellate jurisdiction of all final judgments rendered by justices of the peace when the amount exceeded \$25, and also of any judgment relative to the constitutionality or legality of any tax, toll, or impost of any kind, regardless of amount, as well as from any judgment decreeing a fine, forfeiture or penalty imposed by a municipal corporation. All appeals from justices of the peace were tried de novo in the district court.(25)

The district court for Jefferson Parish held sessions in Lafayette, jury sessions being held from the first Monday in November to July fourth; for criminal and probate causes and for granting interlocutory orders, the court remained open all year.(26)

Following this re-organization of the judicial system all causes

18. La. A., 1825, p. 120.
 19. La. A., 1827, p. 130, sec. 2.
 20. La. A., 1828, #83, sec. 13.
 21. Any minor desiring emancipation was required to present a petition to the district court, stating therein his reason for desiring emancipation. It then became the duty of the district judge to order a family meeting to be called before the parish judge, who made a proces verbal of such

meeting. The proces verbal of such meeting, together with the petition was the basis on which the district judge granted or denied the emancipation. La. A., 1829, #17.
 22. Const., 1845, art. 62.
 23. La. A., 1846, #69.
 24. Const., 1845, art. 78.
 25. La. A., 1846, #108, sec. 6; ibid., 1848, #88.
 26. La. A., 1846, #34, #126, sec. 2.

pending before the city court of Lafayette and the parish court of the parish, in which the amount in dispute exceeded \$50, exclusive of interest, were ordered transferred to the district court for Jefferson. All records, papers, and documents pertaining to successions, opened or on file in the court of probates for said parish were to be taken possession of by the clerk of the district court and filed in his office.(27)

All cases in which the defendant resided out of the limits of the city of New Orleans, and which were pending before any of the courts now held in said city, could, on motion of either party, be transferred to the respective courts to which they would belong under the new organization. But if any such cases were fixed for trial in the court established and organized for the city of New Orleans, before such motion for removal was made, the court wherein the case was pending, was authorized to adjudge and retain the same.(28)

Whenever the judge of the third judicial district (Jefferson Parish) recused himself, the cause had to be referred to one of the district judges in New Orleans.(29)

The Constitution of 1852, though making no changes in the jurisdiction of the district court, effected other changes. The third judicial district now included, in addition to Jefferson Parish, the parish of St. Charles.(30) Jefferson remained in this district until 1860 when it was placed in the second judicial district with the parishes of Plaquemines and St. Bernard.(31)

The placing of other parishes in the same district with Jefferson in 1852 brought about readjustments in the terms of court for the parish. Jury terms were to be held on the first Mondays of January and June; probate terms on the first Mondays of March, May, and November. During jury terms preference was to be given to the trial of probate causes that came up for consideration, but no jury could be summoned during probate terms. Civil suits not requiring a jury could be disposed of during the probate terms.(32) In 1855 the probate terms for Jefferson were lengthened to the first Mondays of March, April and November, and the third Mondays of February and October.(33) In 1861 jury terms in Jefferson were ordered held on the first Mondays of November and April.(34)

In the re-organization of court which took place in 1853, the legislature ordered that all suits, records, dockets, books and papers on file and to be filed and used in the third judicial district for the parish of Jefferson, with the exception of suits in which the defendant was domiciled in the parish of Jefferson, were to be transferred to the sixth district court of New Orleans; and all criminal cases pending at

27. La. A., 1846, #141.
 28. La. A., 1846, #43, sec. 17.
 29. La. A., 1847, #241.
 30. La. A., 1853, #116, ibid., 1855, #344, sec. 5.
 31. La. A., 1860, #175, sec. 2.
 32. La. A., 1853, #252.
 33. La. A., 1855, #344, sec. 10.
 34. La. A., 1861, #155, sec. 1.

the time of the transfer were to be transferred and prosecuted to a final termination in the first district court of New Orleans, except those criminal cases in which the offence originated out of the limits of the city of Lafayette (which city since 1852 had been a part of New Orleans).(35)

The jurisdiction of the district court was the same until the adoption of the Constitution of 1868 which provided that the judicial power shall be vested in a supreme court, district courts, parish courts, and in justices of the peace.(36) The district court was given jurisdiction of all civil suits when the amount in dispute exceeded \$500; appellate jurisdiction of civil suits exceeding \$100, and unlimited criminal jurisdiction.(37) Probate jurisdiction was conferred upon the parish court, but suits in which a succession was a plaintiff or defendant could be brought either in the parish or district court according to the amount involved.(38)

In 1876 the sixth and seventh municipal districts of Orleans Parish were added to the second judicial district. Terms of court in Jefferson Parish were thereafter to be held on the first Monday in April and the third Monday in November.(39) This act was repealed the following year, however, and the sixth and seventh municipal districts of Orleans were annexed to the first judicial district as formerly.(40)

The Constitution of 1879 abolished the parish courts by providing that the judiciary be composed of a supreme court, courts of appeal, district courts, and justices of the peace.(41) Consequently the jurisdiction of the district court was altered. It was now given original jurisdiction in all civil matters when the amount in dispute exceeded \$50; unlimited jurisdiction in all criminal, probate and succession matters, and when a succession was a party defendant; and appellate jurisdiction of cases from justices of the peace when the amount in dispute exceeded \$10.(42)

The state was divided into twenty-six judicial districts, and Jefferson Parish, with St. Charles and St. John the Baptist, placed in the twenty-sixth district.(43) In the parish of Jefferson the first term of court under the new constitution was to begin on the first Monday in April, 1880. The district judge was directed to fix at least four terms at which grand and petit juries should be drawn, summoned, and impanelled. Other jury terms could be provided for whenever it was deemed necessary.(44)

The jurisdiction of the district court was further defined by the

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| 35. La. A., 1853, #229, secs. 12, 16. | 41. Const., 1879, art. 80. |
| 36. Const., 1868, art. 73. | 42. Const., 1879, arts. 109, 111. |
| 37. Const., 1868, art. 85. | 43. Const., 1879, arts. 107, 108. |
| 38. Const., 1868, art. 87. | 44. Const., 1879, art. 117; La. A., 1880, #7, <u>ibid.</u> , 1892, #78. |
| 39. La. A., 1876, #45, sec. 1. | |
| 40. La. A., 1877, E. S., #86. | |

constitutions of 1898 and 1913. In addition to the jurisdiction conferred upon it by the constitution of 1879 it was directed to take cognizance of all cases where the title to real estate, or title to office or other public position, or political or civil rights were involved; all cases where no specific amount was in contest; all cases in which the state, parish, municipality, or other political corporation was a party defendant, and all proceedings for the appointment of receivers or liquidators of corporations and partnerships. For the purpose of carrying out this jurisdiction the court was empowered to issue all the necessary writs, process, and orders.(45)

Since 1898 the district court has been granted appellate jurisdiction over all civil matters, and orders requiring a peace bond, from justice of the peace courts. It has jurisdiction of appeals from mayor's or recorder's courts, which may be taken in cases where a fine or imprisonment is imposed as a penalty. In such cases the appellant must give security for the fine and for the costs of court to be incurred.(46) The court is authorized to try misdemeanors at all times, and where trial by jury is waived, all cases not necessarily punishable at hard labor, and to receive pleas of guilty in all cases not capital.(47)

The Constitution of 1921 enlarged the court's civil jurisdiction to include all civil matters regardless of the amount involved, held concurrently with justices of the peace when the amount in dispute was less than \$100.(48)

Jefferson Parish remained part of the twenty-sixth judicial district until 1890, when it was attached to the twenty-first judicial district with the parishes of St. Charles and St. John the Baptist.(49) In 1898 the twenty-first judicial district became the twenty-eighth judicial district,(50) and since 1921 the said parishes have been in the twenty-fourth judicial district.(51)

Since 1898 the district court holds continuous sessions during ten months of the year. In districts composed of more than one parish, the judge is required to sit alternately in each parish, as the public business may demand.(52)

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| 45. Const., 1898, art. 109; Const., 1913, art. 109. | 49. La. A., 1890, #69. |
| 46. Const., 1898, art. 111; Const., 1913, art. 111; Const., 1921, art. VII, sec. 36. | 50. Const., 1898, arts. 107, 108; La. A., 1906, #216; <u>ibid.</u> , 1910, #311; Const., 1913, art. 107. |
| 47. Const., 1898, art. 117; Const., 1913, art. 117; Const., 1921, art. VII, sec. 42. | 51. Const., 1921, art. VII, sec. 31; La. A., 1926, #79; <u>ibid.</u> , 1936, #62. |
| 48. Const., 1921, art. VII, sec. 35. | 52. Const., 1898, art. 117; Const., 1913, art. 117; Const., 1921, art. VII, sec. 43. |

District Judge

When the district courts was organized in 1813, one judge, learned in the law, was appointed for each district, by the governor, with the advice and consent of the senate. He held office during good behavior and was not permitted to practice as attorney in any of the courts of law in the state during his incumbency.(53)

Whenever a vacancy occurred in the office, it was filled in the same manner as the original appointment, except when such vacancy happened during the recess of the legislature, then the governor filled the vacancy by appointment by granting a commission which expired at the end of the next session of the legislature.(54)

For any reasonable cause, not sufficient grounds for impeachment, judges were removable by the governor, on address of three-fourths of the general assembly.(55)

The judge of the first district court received a salary of \$3,000 annually payable quarterly by the state treasurer.(56) He became subject to a deduction of one month's salary whenever he postponed or adjourned any of the sessions of his court for any other reason than sickness or physical impossibility to arrive at the place where such session was held.(57)

The district judge could recuse himself when interested in a cause, or when acting as counsel therein, and also when he was related to either of the parties in the fourth degree in the collateral line, or in any degree in the ascending or descending line.(58)

In 1826 because of the fact that the first district judge was unable to discharge his duties on account of illness, an honorary judge was established for the first district court. This officer, known as a junior judge, presided whenever the senior judge was absent, and when

53. Const., 1812, art. III, sec. 9; art. IV, sec. 5; La. A., 1813, p. 18, secs. 4, 26.
 54. Const., 1812, art. III, sec. 10.
 55. Const., 1812, art. IV, sec. 5.
 56. La. A., 1813, p. 18, sec. 4; ibid., p. 194, sec. 16.
 57. La. A., 1813, p. 194, sec. 5.
 58. La. A., 1817, p. 24, sec. 24. The Code of Practice (1825) cites the following reasons for which a judge may recuse himself; 1) his being interested in the cause; 2) his being in any way related to one of the parties; 3) his having been employed or consulted as advocate in the cause; and 4) his being a material witness in the cause for either party. C. P., (1825), art. 338. The latter paragraph (4) was repealed by an act of 1828 which provided that no judge could be rendered incompetent to sit on the trial of any cause in consequence of his being a material witness in the case in favor of either party. La. A., 1828, #83, sec. 5.

presiding, exercised all the powers of the senior judge.(59) This honorary office was abolished three years later, and in lieu thereof, the judge of the criminal court of the first district was directed to preside over the first district court whenever the judge of said court was absent. Likewise the judge of the first district court was obliged to preside over the criminal court under similar conditions.(60) In 1831, it was made lawful, in case of absence, death, resignation, interest in a cause, or of challenge, for the judge of the first district court, or the judge of the criminal court of the first district, or the judge of the parish and probate court for the city and parish of Orleans, to preside in the interim, over the court from which the judge was absent, and while presiding to discharge all the functions the judge of said court would discharge if present.(61)

The Constitution of 1845 provided for one judge for each judicial district, except Orleans. They were appointed in the same manner as previously, but their term was fixed at six years. The first appointees under the new constitution, however, were divided by lot into three classes, by the governor, secretary of state, and the attorney general. The term of those of the first class expired at the end of two years; the second class, at the end of four years, and the third class, at the end of six years. After the first nominations, appointments were to be made at the legislative session preceding the period when the term of service of any of the judges expired.(62) Vacancies were filled as under the Constitution of 1812.(63) The method and reasons for removing a judge from office continued unchanged.(64)

No person was eligible for appointment as judge except those who were citizens of the United States, over thirty years of age, residents in the State for six years preceding appointment, residents of the district or an adjoining district long enough to have acquired the right of voting, and practitioners of law in the state for five years.(65)

The salary of district judges was fixed at \$2,500 annually, payable quarterly on their respective warrants by the state treasurer. If any judge absented himself, without legal excuse, so as to be unable to hold court at the appointed time, he became subject to a fine of \$250.(66)

The Constitution of 1852 made but one decisive change in its provision relative to judges, namely by providing that judges be elected

59. La. A., 1826, p. 154.
 60. La. A., 1829, #59, secs. 1, 2.
 61. La. A., 1831, #53.
 62. Const., 1845, arts. 75, 77; La. A., 1846, #91.
 63. Const., 1845, art. 51.
 64. Const., 1845, art. 73.
 65. Const., 1845, arts. 75, 95.
 66. Const., 1845, art. 76; La. A., 1846, #125, secs. 1, 6.

by the voters of their district for a term of four years.(67) The method of filling vacancies and of removing judges from office remained the same.(68) The salaries of district judges were re-affirmed to be \$2,500 per annum(69) but in 1860 were increased to \$4,000 per annum.(70)

The Constitution of 1864 placed district judges on the appointive basis, directing such appointments to be made by the governor, with the advice and consent of the senate, every six years.(71) Judges of all courts were liable to impeachment; but for any reasonable cause, not sufficient grounds for impeachment, they were removable by the governor on the address of the majority of the members of the general assembly.(72) Their salaries were now fixed at \$5,000 per annum, but they could not receive any other compensation for any civil duty performed by them.(73)

An act of 1867 defined the requisite qualification for judgeship to be United States citizenship, and legal experience as a duly licensed attorney of the Louisiana bar for five years.(74) Under the Constitution of 1868 district judges were again elected by the voters of their respective district, for a term of four years.(75) Candidates to said office were required to be United States citizens, over twenty-five years of age, residing and practicing law in the state for two years preceding election.(76) Vacancies in the office were filled by the governor, with the advice and consent of the senate.(77) Judges were removable by the governor on address of two-thirds of the general assembly instead of a majority as heretofore.(78) Their salaries continued at \$5,000 per annum, payable monthly on their respective warrants.(79)

The district judge was directed to recuse himself for any of the causes enumerated in the code of practice.(80) In any case in which he was recused and not personally interested in the matters in contestation, he was required to select a lawyer having the qualifications for a district judge, to try the case. When the judge was personally interested in a suit, he was required to call upon the parish judge to try the

67. Const., 1852, art. 81; La. A., 1853, #181, sec. 1; <i>ibid.</i> , 1855, #344, sec. 1; <i>ibid.</i> , 1860, #175. This change had been proposed by an act of 1850, #212, to amend the Const. of 1845, but was submitted to the voters until the election of April 12, 1852, as provided by Act #82 of 1852.	72. La. A., 1865, #37, sec. 1.
68. Const., 1852, arts. 48, 73, 84; La. A., 1860, #55.	73. Const., 1864, art. 77.
69. La. A., 1853, #181, sec. 1.	74. La. A., 1865, #37, sec. 3.
70. La. A., 1860, #175, sec. 1.	75. La. A., 1867, #43, sec. 1.
71. Const., 1864, art. 79;	76. Const., 1868, arts. 83, 84.
	77. Const., 1868, art. 84.
	78. Const., 1864, art. 55;
	79. Const., 1868, art. 61; La. A., 1868, #27. <i>Rev. Stat.</i> , sec. 1577.
	80. Const., 1868, art. 81.
	81. Const., 1868, art. 84;
	82. La. A., 1868, #99.
	83. See footnote 58.

case.(81) This procedure was altered in 1876 by an act which provided that whenever the district judge was recused in any cause, and no one having the legal qualifications could be called upon to act as judge ad hoc, the plaintiff or defendant in said suit, upon making written application, stating these facts under oath, had the right to have the suit transferred to an adjoining district court.(82)

The Constitution of 1879 and subsequent constitutions have provided for the election of district judges by the voters of their respective districts. They were elected for a term of four years until November, 1924, when their term was increased to six years.(83) Some districts are entitled to two judges, but the laws relative thereto have no application insofar as Jefferson Parish is concerned.

The prerequisite for candidacy includes full knowledge of the law, practice of law in the state for five years previous to election, and residence in the district for two years next preceding election.(84) Candidates are required to file a written notification and declaration of their candidacy and deposit \$100 with the chairman of the committee calling the primary. All such deposits go to the general fund in the state treasury.(85)

The Constitution of 1879 vested in the governor the authority to fill vacancies by appointment until an election could be held.(86) Such election had to be ordered by the governor by his proclamation, immediately after ascertaining the death, resignation or removal of any district judge.(87) The Constitution of 1898 made it the duty of the governor to fill vacancies for the unexpired term with the advice and consent of the senate.(88) Since the adoption of a constitutional amendment in 1904, vacancies occasioned by death, resignation, or otherwise where the unexpired term is less than one year, are filled by appointment by the governor, with the advice and consent of the senate. Where the unexpired portion of the term is a year or more, the vacancy is filled by special election called by the governor, and held within sixty days of the occurrence of the vacancy.(89)

Under the Constitution of 1879 judges were removable for any reasonable cause, not sufficient grounds for impeachment, by the governor on

81. Const., 1868, art. 90.	1913, art. 109; Const., 1921, art. VII, sec. 33.
82. La. A., 1876, #70. No court order was needed to procure such transfer, and suits so transferred were returned to the court in which the suit was instituted, after final judgment had been rendered.	84. Const., 1879, art. 109; Const., 1898, art. 109; Const., 1913, art. 109; Const., 1921, art. VII, sec. 33.
83. Const., 1879, art. 109; Const., 1898, art. 109; La. A., 1904, #141; La. A., 1906, #12; Const.,	85. La. A., 1922, #97, sec. 14.
	86. Const., 1879, art. 109.
	87. La. A., 1884, #58.
	88. Const., 1898, art. 109.
	89. La. A., 1904, #141; La. A., 1906, #12; Const., 1913, art. 109; Const., 1921, art. VII, sec. 69.

the address of two-thirds of the members of the general assembly.(90) Since 1898, however, judges are removable by the above body, for any reasonable cause, regardless of whether the reason may be sufficient for impeachment or not.(91)

The district judge is subject to impeachment for high crimes and misdemeanors, for nonfeasance or malfeasance in office, for incompetency, for corruption, favoritism, extortion or oppression in office, or for gross misconduct or habitual drunkenness,(92) and for any of such causes may be removed from office by judgment of the supreme court in a suit instituted by the attorney general or a district attorney on his information, in the name of the state. The supreme court is vested with original jurisdiction to try such causes, and it is the duty of the attorney general or district attorney to institute such suit on written request and information of 50 citizens (25 citizens since 1898), resident taxpayers of the district or circuit in which the judge exercises his official functions.(93)

Any district judge is recused for any of the following reasons: 1) his being interested in the cause;(94) 2) his being related to one of the parties within the fourth degree; 3) his having been employed or consulted as advocate in the cause; 4) his being the father-in-law, son-in-law, or brother-in-law of one of the parties; 5) his having rendered definite judgment in the cause in any other court; and since 1918, 6) his being the father, brother, or son of any one of the attorneys employed in the cause. The method of trying cases in which the judge has been recused has not changed appreciably. When a judge is recused for reasons other than his being interested in the cause, he selects a lawyer having the qualifications of a district judge to try the case. If no lawyer having the qualifications required can be obtained at the term of court at which the recusation is declared, the recused judge appoints some district judge of an adjoining district to try the case. In cases in which a district judge is recused for being interested in a case he appoints a district judge of an adjoining district to try the case,(95) or, on application of the party or parties to such cases whose interest is in conflict with that of the district judge recused, he is required to appoint a properly qualified lawyer

90. Const., 1879, art. 93.	inal cases in which the state,
91. Const., 1898, art. 220; Const., 1913, art. 220; Const., 1921, art. IX, sec. 3.	the parishes, or political or religious corporations are interested, because he is a citizen or inhabitant of the state or parish, or a member of the political or relig- ious corporation involved, or that he pays a state, parish, or city tax.
92. Const., 1879, art. 196.	
93. Const., 1879, art. 200; Const., 1898, arts. 217, 221; Const., 1913, arts. 217, 221; Const., 1921, art. IX, secs. 1, 5.	
94. This does not mean, that the judge may be chal- lenged in civil and crim-	95. La. A., 1880, #40; <i>ibid.</i> , 1882, #35; <i>ibid.</i> , 1884, #74; <i>ibid.</i> , 1918, #203.

to try the case.(96)

The district judge may be assigned, for any cause, from one dis-
trict court to another, by the supreme court. He may also be assigned,
by the supreme court, to the courts of appeal whenever the judges of
the courts of appeal are called to sit with the supreme court.(97)

The Constitution of 1879 fixed the salary of district judges at
\$3,000 per annum, payable by the state, on their respective war-
rants.(98) The following constitution (1898) divided the salaries
into various classes and authorized the legislature to re-grade the
salaries if it reduced the number of districts. In no case, however,
were any of the judges to receive over \$3,000 per annum. The judge
of the judicial district in which Jefferson Parish was situated re-
ceived the maximum salary of \$3,000 per annum.(99) District judges
do not receive any fees or compensation other than their salaries for
any civil duties performed by them.(100) Beginning with the adoption
of the Constitution of 1921 and continuing until the end of their in-
cumbency, district judges were granted a salary of \$4,000 per annum.
Thereafter district judges were paid \$5,000 per annum.(101) A con-
stitutional amendment (adopted November, 1938) increased the annual
salary of district judges to \$6,000, the parish of Orleans and East
Baton Rouge excepted.(102)

The Constitution of 1921 provided that any judge of the supreme
court, courts of appeal, or district courts, was eligible for retire-
ment on two-thirds pay upon reaching the age of seventy years, and
having served continuously as judge of a court of record for twenty
years immediately preceding the date of retirement. All judges were
required to retire on reaching the age of seventy-five, but only
those who had served the required length of time were eligible for
pensions.(103) Since 1938 the retirement age of those judges who have
served continuously for twenty years has been decreased to sixty-five
years, and any judge may now retire on two-thirds pay when he has
served continuously as a judge of a court of record for fifteen years
and has reached the age of seventy. Furthermore, any judge, upon com-
pleting twenty-three years of continuous service may, irrespective of
his age, retire on two-thirds pay.(104)

96. La. A., 1898, #185, amends La. A., 1880, #40, sec. 3; <i>ibid.</i> , 1932, #109.	102. La. A., 1938, #83. The district judge also re- ceives hotel and travel- ing expenses in districts composed of two or more parishes. La. A., 1926, #206.
97. Const., 1921, art. VII, sec. 12.	103. Const., 1921, art. VII, sec. 8; La. A., 1928, #139.
98. Const., 1879, art. 109.	104. La. A., 1938, #383 amending art. VII, sec. 8 of Const., 1921.
99. Const., 1898, art. 109; Const., 1913, art. 108.	
100. Const., 1879, art. 92; Const., 1898, art. 96; Const., 1913, art. 96.	
101. Const., 1921, art. VII, sec. 35.	

Any judge reaching the age of eighty years must retire, and if he has served continuously for twenty years as a judge of a court of record, receives full pay for life. If a district judge (juvenile judge, or judge of a city court of record) becomes physically or mentally incapacitated, the proof of which is required by a certificate of two competent physicians approved by a majority of the supreme court, he must be retired on two-thirds pay. Vacancies resulting from such retirement are filled in the same manner as vacancies caused by death, resignation or otherwise. Whenever a judge wished to retire, or upon reaching eighty years of age, he must notify, in writing, the governor and secretary of state, specifying the fact of his retirement and the effective date thereof.(105)

General Provisions

All judges (not including justice of the peace since 1896) are prohibited from practicing as attorneys during their incumbency.(106)

All civil and military officers of the state are required to take the constitutional oath of office.(107)

Judges of all courts are conservators of the peace.(108)

They must refer to the law in every definite judgment, and give reasons on which such judgment is founded.(109)

Aside from their judicial function, and their power to issue all such writs, process and orders as may be necessary for the purpose of the jurisdiction conferred upon them,(110) district judges are authorized to

105. <u>Idem.</u>	Const., 1868, art. 79;
106. <u>La. A., 1855, #115, ibid., 1861, #110; Rev. Stat., secs. 116, 117; La. A., 1894, #44; ibid., 1896, #84; ibid., 1904, #135.</u>	Const., 1879, art. 86; Const., 1898, art. 90; Const., 1913, art. 90; Const., 1921, art. VII, sec. 1.
107. <u>Const., 1812, art. VI, sec. 1; La. A., 1815, p. 80; Const., 1845, art. 89; Const., 1852, art. 90; Const., 1864, art. 90; Const., 1868, art. 100; Rev. Stat., secs. 2550-2554; Const., 1879, art. 149; Const., 1898, art. 160; Const., 1913, art. 160; Const., 1921, art. XIX, sec. 1.</u>	109. <u>Const., 1812, art. IV, sec. 12; Const., 1845, art. 70; Const., 1852, art. 72; Const., 1864, art. 76; Const., 1868, art. 80; Const., 1879, art. 87; Const., 1898, art. 91; Const., 1913, art. 91; Const., 1921, art. VII, sec. 1.</u>
108. <u>Const., 1812, art. IV, sec. 6; Const., 1845, art. 69; Const., 1852, art. 71; Const., 1864, art. 75;</u>	110. <u>Const., 1898, art. 109; Const., 1913, art. 109; Const., 1921, art. VII, sec. 2.</u>

celebrate marriages under the same regulations and penalties as justices of the peace.(111) The district judge is required to grant the marriage license when the clerk of the district court is a party to a marriage.(112) The district judge serves as the third member of the state board of pardons in cases of application for pardon by persons who have been convicted before his court.(113)

The district judge is directed to designate in each parish within his district, a fiscal agent as a depository of any and all monies, stocks, bonds, notes, deeds, contracts or documents of any nature belonging to minors, interdicts, absentees, or persons unknown, which for any purpose, and for the benefit of such person or persons it is desired to keep safely. The bank so designated is known as the registry of the court.(114)

The records of the district court will be found in the second floor vault of the clerk of court, unless otherwise indicated. It should be noted that some of the early records of the district court of Jefferson Parish were transferred, in accordance with an act of the state legislature, to the civil district court of the parish of Orleans.(115) The records will be found listed in the Inventory of the Parish Archives of Louisiana, No. 36, Orleans Parish (New Orleans). They include, in addition to entry 297 of this volume, the following records.

Docket, 3rd Judicial District Court, June 23, 1846- Nov. 25, 1847, Apr. 26, 1850 - Sept. 26, 1861. 2 vols.

Index to Docket, 3rd Judicial District Court, Apr. 26, 1850 - Sept. 26, 1861. 1 vol.

Minute Book, 3rd Judicial District Court, June 23, 1846 - Dec. 15, 1847, Feb. 5, 1850 - Feb. 23, 1853. 3 vols.

Oath Book, 3rd Judicial District Court, June 29, 1846 - Jan. 3, 1855, 1 vol.

Civil
(See also entries 258-263)

Suit Papers

273. [CIVIL SUIT PAPERS AND DOCUMENTS], 1825--. 227 steel file drawers (labeled by incl. docket nos.).

Original and authentic copies of case papers and documents filed in civil causes, from institution of suit to final description, including petition of plaintiff, citation issued to defendant, answer, notice of trial, motions of counsel, bills, statements, protests, and notes introduced as evidence; bills of exception, interlocutory and final judgments, giving on each paper, number and title of suit, type of document,

111. <u>La. A., 1855, #208; Rev. Stat. secs. 484, 1937, 2207; Rev. C. C., art. 103.</u>	Const., 1898, art. 69; Const., 1913, art 69; Const., 1921, art V, sec. 10.
112. <u>Rev. C. C., art. 99; La., 1882, #25.</u>	114. <u>La. A., 1920, #246, sec. 1.</u>
113. <u>Const., 1879, art 66;</u>	115. <u>See Footnote 35.</u>

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date filed, and signature of clerk. Also contains: [Probate Court Case Papers] 1825-45, entry 254; [Parish Court Probate Case Papers], 1868-80, entry 264; [Probate Case Papers] 1846-67, 1881--, entry 298. Arr. numer. by document nos. and chron. by date of institution. For index 1825-53, see entries 255, 256, no index, 1853--. Hdw., 1825-1900, hdw. and typed 1901--, some printed forms used. Aver. 50 cases. 11 x 5 x 16 to 16 x 12 x 25.

274. PROTEST, 1824-80. 1 steel file drawer.

Originals and true copies of public instruments of protest filed with case papers against the makers of notes on which payment has been refused, for all exchange, damages, costs, charges and interests to be suffered for want of payment of the note; giving, date of protest, name of holder of note, name of notary making protest, notation that demand was made and payment refused at institution where not was made payable, clause of protest, signatures of witnesses and notary; and with each protest, a true copy of the note, giving date of execution, amount, names of payee, makers and endorsers, and paraph and notations, if any, appearing on the reverse side of the original. In some cases, certifications by notary that the parties to the note have been notified of the protest thereof appear, with the manner of service described. Original notes are attached to protests in some instances. Arr. chron. by date filed. No index. Hdw. on printed forms. Approx. 100 documents. 11 x 5 x 14.

For other protests filed in this period, and prior and subsequent protests see entry 273.

Dockets

275. DOCKET, July 1, 1853--. 23 vols. (A, B, C, D; 1880-1900, 2 vols. unlabeled; 1-6; 1-11; all vols. dated and numbered by inclusive docket nos. and judicial district nos.).

Record of civil and probate cases docketed for hearing; giving, docket number, title of case, and names of attorneys representing litigants or heirs; list of papers filed from opening petition to final disposition of cause; and amount deposited to cover costs, amount retained by court and amount refunded. Notations concerning papers filed give type of document, date filed, and amounts charged for filing, recording and serving. Arr. numer. by docket nos. and chronologically by dates instituted. For index see entries 276, 277. Hdw. 1853-1923; hdw. on printed forms, 1924--. Aver. 750 pp. 18 x 11 x 3.

276. INDEX TO DOCKET, PLAINTIFF, July 1, 1853--. 23 vols. (labeled by book no. or letter, by incl. docket nos., judicial district nos., and dates).

Alphabetical index to Docket, entry 275, by first letter in surname of plaintiff in civil suits, chronologically thereunder, giving docket number and name of defendant. All successions are listed chronologically under the letter "S" and docket numbers are given. Hdw. Aver. 100 pp. 18 x 12 x 1.

(277-282)

277. INDEX TO DOCKET, DEFENDANT, July 1, 1853--. 23 vols. (labeled by book no. or letter, by incl. docket nos., judicial district nos., and dated).

Alphabetical index to Docket, entry 275, by first letter in surname of civil suit defendant or deceased in successions, chronologically thereunder, giving, in civil cases, docket number of suit and name of plaintiff, and in successions docket number only. Hdw. Aver. 78 pp. 18 x 11 x 1.

278. ISSUE DOCKET, 1884-1912. 3 vols.

Calendar of civil, criminal and probate cases at issue to be called for each term of district court, giving date of beginning of term, docket number, title of cause, names of attorneys for litigants, and notations as to dates fixed for trial, exceptions, continuances, and disposition. Included in this record is a trial docket listing causes to be called for each day of the court term. Arr. chron. by dates of terms. No index. Hdw. 1884-1903; typed 1904-12. Aver. 300 pp. 16 x 10 x 2.

279. CIVIL [and Probate Call] DOCKET, 1883-1912, 1922--. 12 vols.

Calendar of civil suits and probate matters called for each day of session, giving session date, docket number, title of suit, names of attorneys for litigants, notations as to exceptions, continuances, and disposition. Volumes 1883-1912 contain occasional criminal cases. Arr. chron. by date of session. No index. Hdw. Aver. 300 pp. 16 x 10 x 2.

280. UNAPPEALABLE DOCKET, 2nd DISTRICT COURT, APRIL 1869-APRIL 1884. 1 vol.

Calendar of civil causes at issue called for each term of district court, giving date of session, docket number, suit title, names of attorneys for litigants, and notations as to fixing of date for trial, or settlement of case. Also contains: [Call Docket, Circuit Court] entry 250; [Parish Court Appeal Docket] entry 281; and [Cases Appealed to Supreme Court] entry 282. Arr. chron. by dates of sessions. No index. Hdw. 200 pp. 18 x 12 x 1.

281. [PARISH COURT APPEAL DOCKET], Dec. 1871. In Unappealable Docket, 2nd District Court, entry 280.

Calendar of civil causes appealed from parish court to district court and returnable the first Monday in December, 1871; giving docket number, suit title, names of attorneys for litigants, and notations as to citations issued and dates fixed for trial. Arr. in the order to be called. No index. Hdw.

282. [Cases Appealed to Supreme Court], Nov. 1871. In Unappealable Docket, 2nd District Court, entry 280.

Calendar of civil causes appealed from the district court and returnable in the supreme court the first Monday of November, 1871; giving docket number, suit title, names of attorneys for appellant and appellee, and date citation for appeal was issued. Arr. in the order to be called. No index. Hdw.

Record of Proceedings

283. NOTES FOR MINUTES, 1906-07, 1918-19, 1927--. 8 vols. Rough notes of court proceedings made by the clerk to facilitate the formal recording of minutes. Arr. chron. by dates of sessions. No index. Hdw. Aver 200 pp. 12 x 9 x 1 to 16 x 10 x 1.

284. MINUTE BOOK, June 20, 1853--. 43 vols. (7 vols. A-F, F; vols. 1871-91 unlabeled; 3 vols. A-C; 27 vols. A-P, 3-13). Record of proceedings in civil, criminal and probate cases, at each daily session of this court; giving, on each day's minutes: date of session, name of presiding judge, summary of proceedings, and notation of adjournment. Throughout the record details are given as to the empanelling and discharging of petit juries, roll calls of jurors, bills of information filed by district attorney, true bills of indictment returned by the grand jury, and recommendations made by that body. In civil proceedings, motions by counsel, bills of exception, appointments of liquidators, cases taken under advisement, and rules, orders, and judgments of the court are among the items recorded; each summary gives docket number and title of suit, and the names of attorneys for plaintiff and defendant, description of property involved, and court costs are sometimes given. Minutes of criminal cases include orders for filing of information, pleas of accused person at arraignments, fixing of bonds, discharges of bonds, and continuances; each summary gives docket number, title of case, and nature of charge; in cases tried by jury, the verdict is given, and some minutes contains the sentence imposed. Included in the minutes of probate proceedings are court orders for the probating of wills, depositing of money or other valuables belonging to the estate in the registry of the court, withdrawals of same, and those authorizing disbursements from succession funds by executors, or placing heirs in possession of succession property; each summary gives succession number and title, and in some cases, description of property involved and proces-verbals of wills are given. Arr. chron. in the order considered. No index. Hdw., 1853-1901, typed 1902--. Vols. aver. 650 pp. 18 x 12 x 3.

285. JUDICIAL RECORD, June 29, 1853-Sept. 25, 1868, May 23, 1876-July 16, 1880, Mar. 2, 1885-May 6, 1886, Apr. 9, 1903--. 22 vols. (vol. 1853-65 lettered A, 3 vols. 1865-86 not labeled; 1903--; 1-18). Title varies: Record Book, Record, Civil Record. Copies of original papers and documents filed in civil causes, including petition of plaintiff, supplementary petitions, citation served on defendant, answer of defendant, notice of trial, summons to witnesses, motions by counsel, notes of evidence, bills of exception, rules by court, writs of sequestration, judgement, execution of judgment, injunction, bond for injunction, writ of seizure, notice of sale and proces-verbal of sale; giving docket number and title of case, text of instrument, date filed and signature of recorder. Also contains [Probate Record], 1885-86, 1903--, entry 300. Arr. chron. by dates recorded. No index. Hdw., 1853-1907, typed 1908--. Aver. 600 pp. 16 x 10 x 2 to 18 x 12 x 3.

286. JUDGMENT BOOK, June 20, 1826-Mar. 23, 1871. 5 vols. (1-5). Record of judgments rendered in civil suits; giving, name of court and judge, docket number and title of suit, name of person against whom judgment was rendered, date of judgment, amount of claim and costs. Some judgments carry notations of cancellation, giving: date, reason for action, and signature of recorder. Arr. chron. by date recorded. Indexed, 1826-48, in vols. by first letter in surnames of defendants, chronologically thereunder, giving page no. of record; for index, 1849-71, see entry 287. Hdw. Aver. 450 pp. 13 x 8 x 2 to 17 x 11 x 3.

287. INDEX TO JUDGMENT BOOK, Nov. 30, 1849-Mar. 23, 1871. 3 vols. Alphabetical index to Judgment Book, [District and Justice Courts], entry 286, by first letter in surname of defendant, chronologically thereunder, giving page number of record. Hdw. aver. 100 pp. 17 x 11 x 1/2.

288. [WRITS OF] FI[ERI] FA[CIAS], Sept. 1892--. 3 vols. Memoranda and letters to the clerk of court by private counsels requesting the issuance of writs of seizure to execute judgments rendered; giving, docket number and title of case, name of party against whom judgment was rendered, date of request and signature of attorney making same; and, in some cases, location and description of property to be seized, title of officer to whom writ is to be directed, and authorizations to advertise and sell seized property. When garnishment is also requested the name of garnishee is given. Memoranda are written on pages of volume and letters are pasted in; all bear notation by clerk of court as to date writ was issued. Arr. chron. by date of request. No. index. Hdw. on printed forms, and typed on letterheads. Aver. 400 pp. 14 x 9 x 3.

289. RECEIVERSHIP ORDER BOOK, Oct. 22, 1898--. 2 vols. (1-2). Record of petitions, court orders, judgments, inventories and other case papers filed in liquidations and receiverships; including petition of plaintiff for the appointment of a receiver to the defendant company; order to defendant to show cause why a receiver should not be appointed; judgment appointing receiver, ordering the issuance of letters as such to him, fixing his bond and prescribing the oath to be taken; order authorizing receiver to retain counsel; order for inventory of property of defendant, naming the notary by whom it is to be taken, appointing appraisers, and designating a depository for funds of the receivership; petition of receiver for filing and publishing of his final account, and entering same on the Receivership Order Book; order granting petition; affidavit by receiver before a notary that final account, as submitted, is true and correct; final account giving source and amount of receipts, nature and amount of liabilities, names of preferred and ordinary creditors, and percentage which receiver proposes to pay ordinary creditors in settlement of their claims; order approving and homologating final account and directing receiver to distribute funds in the manner proposed; petition of receiver for order discharging him of his responsibility as such, cancelling his bond, and releasing his sureties; order granting petition. Recordings give docket number, title of cause, date of instrument, name of judge, clerk, receiver or attorney by whom it is signed, and clauses indicating form.

Arr. chron. by dates recorded. No index. Hdw. and typed. Aver. 300 pp. 17 x 11 x 2.

Evidence

290. MINUTE BOOK [JEFFERSON BUILDING AND HOMESTEAD ASSOCIATION, Oct. 13, 1886-Aug. 1, 1898. 2 vols.

Record of proceedings at meetings of this corporation; giving, date and place of meeting, names of members present, motions and resolutions acted upon, and details of rules and regulations governing the organization; appointments to committees, and recommendations by committees regarding loans applied for; treasurer's reports on association finances, bills paid, insurance policies held, dividends declared; and business transacted at meetings of shareholders. Minutes of each meeting are signed by the association secretary. These volumes were ordered into court during receivership proceedings of the corporation. Arr. chron. by date of meeting. No index. Hdw. Aver. 500 pp. 16 x 10 x 2.

291. JEFFERSON BUILDING AND HOMESTEAD ASSOCIATION, 1886-98. 1 vol. (A).

Record of installments, interest and fines paid weekly, giving in front of volume, pages 1-186: stock series, name of subscriber making payment, and amount paid, and on pages 187-452: daily record of business transacted, with title of account to which entry is to be posted, name of person involved in transaction, and amount debited or credited. Arr. by accounts. No index. Hdw. 721 pp. 15 x 10 x 3.

292. CASH, JEFFERSON BUILDING AND HOMESTEAD ASSOCIATION, Aug. 1893-Dec. 1898. 2 vols. (2,3).

Daily record of receipts and disbursements; receipts give date, name of person making payment, amount paid, and whether payment represents rent, installments on stock subscribed for, insurance, tax, or interest; disbursements give nature of disbursement, amount, to whom paid, date, and account to be debited. Arr. chron. by date of entry. No index. Hdw. Aver. 450 pp. 18 x 11 x 2 to 20 x 17 x 2.

293. STOCK LEDGER, JEFFERSON BUILDING AND HOMESTEAD ASSOCIATION, 1886-98. 1 vol.

Record of shares sold on an installment basis, giving name of purchaser, account number, stock series, number of shares purchased, amount of weekly installment, date stock was purchased, date payments were made, number of installments paid each time, date next installment due, amount paid, interest, and fines assessed. Arr. numer. by account nos. Indexed in vol. alph. by first letter in surname of purchaser, chron. thereunder by date of entry, giving page no. of record. Hdw. under printed headings. 704 pp. 20 x 14 x 4.

294. LEDGER, 1886-1896. 2 vols. (A-B).

Stock purchase accounts, giving name of purchaser, date payment was made, and amount; in some instances, the number of shares subscribed for, stock series, purchasing price, and date of subscription is given on debit side of ledger. Volume A also contains [General] Ledger, entry 295, 1886-1894. Arr. by accounts, chron. thereunder. Indexed

in vol. alph. by first letter in title of account, giving page no. of record. Hdw. Aver. 692 pp. 15 x 11 x 3.

295. [General] LEDGER, 1894-1898. 1 vol. (B). 1886-94 in Ledger, entry 294.

Record of general accounts giving, on debit entries, date, account debited, and amount; and on credits, date, account credited, and amount; accounts are balanced yearly. Included in this record are loan accounts, giving debits and credits to account. Arr. by accounts. Indexed in vol. alph. by first letter in title of account, giving page no. of record. Hdw. 600 pp. 18 x 12 x 3.

Naturalizations

296. ORIGINAL NATURALIZATION CERTIFICATES, 1838-1906. 3 steel file drawers, (A-G, H-O, P-Z).

Original papers filed in citizenship proceedings, including declaration of intention and renunciation of allegiance to foreign powers executed by petitioner when applying for naturalization, affidavit of clerk of court before whom document was sworn, affidavit of witnesses that petitioner has conducted himself in a manner becoming a citizen during the two year probationary period since his first papers were filed, and petitioner's oath of allegiance to the United States, sworn to at the time citizenship was granted him. All documents give date of execution, name of petitioner, signature of executor and witnesses, jurat of court officer, and clauses indicating form; declaration of intention additionally gives age of petitioner, name of his native country, and year of his arrival in the United States. Arr. alph. by first letter in surname of person naturalized, chron. by dates filed thereunder. No index. Hdw. and hdw. on printed forms. Aver. 500 documents 11 x 5 x 14.

297. NATURALIZATION PAPERS, CITY COURT OF CITY OF LAFAYETTE, Oct. 14, 1840-July 27, 1844. 1 folder (dated).

Originals and true copies of acts of naturalization issued by this court to aliens who were granted citizenship in the United States, giving name of court, date of instrument, name of naturalized person, place of birth, clause conferring citizenship, jurat, signature of clerk of court, and in some cases, signatures of character witnesses for naturalized person. Arr. chron. by date of issue. No index. Hdw. and hdw. on printed forms. Aver. 64 documents 14 x 9 x 3. Civil District Court Archives, Room 302, New Orleans Court Bldg., New Orleans, La.

Probate

(See also entries 254-257, 264-270)

Case Papers

298. [PROBATE CASE PAPERS], 1846-67, 1881--. In Civil Suit Papers and Documents, entry 273.

Original case papers and documents filed in probate proceedings; for description see entry 254. Arr. numer. by docket nos. and chron. by date proceeding was instituted. For index 1846-53, see entries 255, 256; no

(299-303)

index, 1853--. Hdw., 1825-1900; hdw. and typed 1901--; some printed forms used throughout.

Dockets (See also entry 275)

299. PROBATE DOCKET, Nov. 15, 1862-July 10, 1868. 1 vol. (dated). Calendar of probate matters docketed for hearing before this court; giving, docket number and title of succession, name of attorney instituting proceedings, amount deposited to cover costs, list of papers filed with filing dates, and amounts charged for filing, recording, and other services rendered by clerk. Arr. numer. by docket nos. and chron. by date of institution. Index in vol., alph. by first letter in surname of deceased, chron. thereunder, giving docket no. of succession. Hdw. 600 pp. 17 x 11 x 2.

Record of Proceedings (See also entry 284)

300. [PROBATE RECORD], Mar. 2, 1885-May 6, 1886, Apr. 9, 1903--. In Judicial Record, entry 285.

Recorded copies of papers and documents filed in probate proceedings, including petitions to search for wills, returns on petitions, petitions to probate wills, petitions of heirs, orders by court for opening of successions; wills and codicils, orders for inventory and appraisal of estates; letters of appointment and oaths of appraisers; inventories, reports of appraisers, proces-verbals of family meetings, partitions of assets; letters of appointment, bonds, oaths, and accountings of administrators, curators, and tutors; petitions for homologation of accounts, and petitions for emancipation of minors; giving docket number, succession title, text of instrument, filing date and signature of recorder. Hdw.

301. WILL BOOK, Sept. 12, 1853--. 3 vols. (A-C).

Recorded copies of wills and codicils filed in probate proceedings, giving, on holographic wills, date of will, place where it was drawn up, nature and condition of bequests with legal description of property involved, names of heirs, and executor, if any, and name of testator. Nuncupative testaments additionally give names of witnesses and notary. All bear date recorded and signature of recorder. Also contained in this record are statements signed by district court judge that will was opened in the presence of witnesses. Arr. chron. by date recorded. No index, 1853-68; for index, 1869--, see entry 302. Hdw., French and English, 1853-90; English, 1890--. Aver. 300 pp. 15 x 10 x 2.

302. INDEX TO WILL BOOK, Sept. 29, 1868--. 2 vols. (B-C).

Alphabetical index to Will Book, entry 301, by first letter in surname of deceased, chronologically thereunder, giving page number of record. Hdw. Aver. 75 pp. 12 x 9 x 1.

Oaths and Bonds

303. OATH BOOK, Sept. 2, 1853-July 11, 1865. 1 vol.

Original oaths of persons appointed by this court to function as administrators, curators, executors, tutors or appraisers in successions; for description see General Oaths, entry 269. Arr. chron. by date of

(304-306)

instrument. No. index. Hdw. 320 pp. 15 x 9 x 1.
For other similar oaths, see entry 269.

304. BONDS, Sept. 7, 1853-Oct. 26, 1866. 1 vol.

Original bonds posted by individuals appointed by this court to function as administrators, curators or executors in successions, tutors to minors, or as provisional syndics of the creditors of insolvent persons; giving: amount of bond and name of official to whom parties are bound, date of execution and conditions of obligation; signatures of principal and surety, and in some cases, signatures of clerk of court and other witnesses. In some instances affidavits by sureties as to their worth appear; some bonds carry statements by principal that all funds of the estate will be deposited with surety to protect him against loss; some tutors' bonds contain affidavits by third persons that tutor is known to be friendly disposed toward minor; and some bonds are cancelled, the reason for cancellation being given in such cases. Arr. chron. by date of reception. No index. Hdw. on printed forms. 300 pp. 12 x 8 x 11.

For other similar bonds, see entries 267, 268.

Criminal

(See also entries 271, 272).

Case Papers

305. CRIMINAL [Case Papers and Documents], 1854--. 180 steel file drawers and 3 bundles (labeled by incl. docket nos., bundles not labeled).

Original papers filed in criminal cases, including affidavit, capias, appearance bond, oath of sureties, bill of information, true bill of indictment, notice of arraignment, motion to quash, change of venue, bill of exception, notice of trial, summons to witnesses, notation of sentence, peace bond, appeal bond, and abstract of minutes; all giving docket number, title of case, clauses indicating type of document, filing date and signature of recorder. Also contains: [Criminal Case Papers], entry 271. Haphazard arr., 1854-1920; numer. by docket nos. 1921--. No index. Hdw. and hdw. and typed on printed forms. Aver. 60 cases 7 x 5 x 11 to 11 x 5 x 14.

306. BONDS, 1905-31. 4 steel file drawers.

Original bonds posted by defendants and material witnesses in criminal cases to insure their appearance at court for trial; giving judicial district number of court, date of instrument, names of principal, sureties, official to whom they are bound, and official before whom bond was posted, amount of bond, conditions of obligation, signatures of principal and sureties, filing date, signature of recorder, and occasional affidavits by sureties as to their worth. In some cases true copies of commitment papers, original petitions of imprisoned persons for release on bond, and court orders for releases are attached to the bonds. Arr. haphazardly. No index. Hdw. and typed on printed forms. Aver. 500 documents 11 x 5 x 14.

For prior and subsequent appearance bonds, see entry 305.

Dockets

307. CRIMINAL DOCKET, 1873-92, 1921--. 6 vols., 1850-53, in Minute Book, Probate Court, entry 257. (vols. 1921-- , 1-3). Calendar of cases docketed for trial; giving docket number, title of case, nature of charge, list of papers filed, filing dates, and disposition of case. Arr. numer. by docket nos. and chron. by dates instituted. No index 1873-92; indexed in vols. 1921-- , alph. by first letter in surname of defendant, chron. thereunder, giving page no. of record. Hdw. and hdw. on printed forms. Aver. 500 pp. 18 x 12 x 2.

308. CRIMINAL [Call] DOCKET, Dec. 1901--. 9 vols. Calendar of cases called for each day of session, giving date, number, and title of case, names of attorneys, charge, and disposition of case. Arr. chron. by dates of sessions. No index. Hdw. Aver. 300 pp. 16 x 10 x 2.

Records of Proceedings (see also entry 284).

309. [Indictments, Information, and Bail Bond] RECORD, April 1, 1878-May 31, 1879. 1 vol. Recorded copies of indictments and bills of information filed in criminal cases, and copies of bonds posted by defendants. Indictments and bills of information give docket number, title of case, date filed, nature of crime, date of commission, names of signatories and state witnesses. Bonds give filing date, date of instrument, names of principal, sureties and official to whom they are bound, amount, conditions of obligations, and name of official before whom bonds is posted. In some cases statements by sureties as to their worth, and judicial approval of non-resident sureties appear. Arr. chron. by filing dates. No index. Hdw. 288 pp. 18 x 16 x 2.

310. JUDGMENTS OF SUPREME COURT, Jan. 1926--. 1 steel file drawer. Certified copies of opinions and judgments handed down by this court in cases appealed from this district, extracts of minutes, and orders refusing writs; giving docket number, title of cause, judicial district number of court from which judgment was appealed, district court docket number, amount deposited to cover costs, amount of costs, and balance returned to appellant. Arr. numer. by docket nos. No index. Typed. Approx. 30 cases 11 x 5 x 14.

Inquests

311. INQUESTS, 1865--. 5 steel file drawers. Proces-verbaux of inquiries by the coroner, assisted by a jury, into the causes of and circumstances surrounding accidental, homicidal, suicidal, and otherwise violent, sudden, unnatural or suspicious deaths occurring in the parish; giving coroner's case number, name of deceased, if identified, date of inquiry, findings at autopsy, and signatures of coroner and jurors. Included in this record are proces-verbaux of inquests conducted by various justices of the peace functioning as acting coroners, statements by private physicians summoned by justices of the peace to conduct post-mortem examinations, depositions of witnesses at inquests, death certificates, statements by the coroner that no guilt attaches to any person in certain deaths he was called upon to investigate, and that certain persons, dying destitute, were buried by him, and detailed bills rendered monthly by the coroner and parish physician

listing amounts due him for visits made to the indigent sick, for viewing dead bodies, for inquests held and paupers buried. Arr. chron. by dates filed. No index. Hdw. and hdw. and typed on printed forms. Aver. 500 documents 12 x 5 x 16. Recorder's vault, 1st floor.

312. INQUEST BOOK, Sept. 13, 1876--. 5 vols. Copies of statements by coroner regarding deaths investigated and paupers buried by him, and copies of proces-verbaux of coroner's inquests; all recordings give coroner's case number, name of deceased, if identified, date of inquiry, cause of death, name of coroner, recording date and time and signature of recorder; record of proces-verbaux of inquests additionally gives findings at autopsy and names of members of coroner's jury. Arr. chron. by date recorded. No index. Hdw. 1876-1907; typed 1908--. Aver. 350 pp. 14 x 10 x 2 to 18 x 12 x 2. Recorder's vault, 1st floor.

X. JURY COMMISSION

Because of the situation of Jefferson Parish as a part of the first judicial district, there were no jury drawings (except in the parish court from 1835-45, and in the two year period, 1832-34, during which the criminal court of the first district sat in Jefferson) in the parish until after 1846. Until this time the inhabitants of the parishes of the first district did jury service in New Orleans, where the cases from their parishes were tried.(1) In 1835 legislation enlarging the powers of the parish court of Jefferson, allowed jury trials in all civil cases brought before it, if a jury was requested by either party to the suit. In this event the clerk issued an order to the marshal of the court, instructing him to summon six men competent for jury duty to attend at the time of trial.(2)

In 1846, following the assignment of Jefferson Parish as the third judicial district, it was made the duty of the parish sheriff, jointly with not less than two freeholders, to form a jury list of not more than two hundred names or less than one hundred.(3) A supplementary act passed later in the same session, applicable particularly to Jefferson, provided that in the event of the inability of the sheriff to act, any justice of the peace could, with the freeholders, form the jury list.(4) This list was to be composed of not less than one hundred and fifty nor more than five hundred and seventy-six names, and when the same was signed and certified it was to be deposited with the clerk of court. Names of persons residing in the district of Barataria and the seashore were not to be included in this list.(5)

1. See essay on District Court, supra.
2. La. A., 1835, p. 213, sec. 18.
3. La. A., 1846, #96, sec. 11.
4. La. A., 1846, #133.
5. La. A., 1846, #133, sec. 1.

This act was superseded in 1873 at which time the clerk of the district court was ordered to provide a suitable book at the expense of the parish, and proceed to enter therein, from the best information available, in alphabetical order, the names of the qualified jurors of the parish. From this list the sheriff, recorder, clerk of court, and two citizens of the parish appointed by the district judge, were to make up the jury box and draw therefrom not less than fifty-two nor more than one hundred names. The names thus drawn were ordered to be entered on a list and certified to by the officers. The method of selecting the grand jury was not changed. The officers drawing the juries were to revise the jury list at each drawing and erase the names of all persons drawn, those who may have died, moved from the parish, and those exempt from duty. When the list was exhausted they were to restore it.(17)

It was not until 1877 that the jury commission was created as such. In that year the district judge was directed to appoint four discreet citizens, who, with the clerk of the district court as ex officio member thereof, were to constitute a jury commission. They were to hold their office during the pleasure of the district judge, and were required to take an oath of office. Three members of the commission were a sufficient number to perform the duties required of them. The procedure for making up the jury list and making up the general venire box remained the same. The clerk of court remained custodian of the general venire box. It was the duty of the commission, not less than fifty days prior to the jury term, to meet and strike from the jury list the names of those that had served, as well as those who were known to have died, removed from the parish, or to be exempt or disqualified to serve since their names were entered thereon. They were then directed to supplement the original list and ballots in the box so that the original standard of three hundred names be maintained. The clerk of court was directed to make a proces verbal of the acts of the jury commission and record the same in a book provided for that purpose which was to remain open to public inspection. From the general venire box so constituted the jury commission was to draw the number of names of jurors required at the ensuing term of court, and the first fifty names so drawn were to compose the grand and petit jurors for the first week, and thirty additional names were to be drawn to serve as petit jurors for each additional week that in their judgment a jury might be required. The clerk of court was to keep a record of the drawing with a list of all the names in the order they were drawn, showing the weeks for which they were to serve.(18) The grand jury was to serve until discharged. The petit jurors were to serve only for the week for which they were drawn, provided that if a jury was empaneled in a cause commenced but not concluded when the week for which the jury was drawn expired, such jurors were to continue to serve in the cause in which they were empaneled until a verdict was rendered or until they were discharged.(19) Whenever the district judge thought proper, he could require the jury commission

17. La. A., 1873, #94. 1-6.
 18. La. A., 1877, #44, secs. 19. La. A., 1877 #44, sec. 6.

to draw additional jurors for service either as regular jurors or as talesmen. Nothing was to be construed, however, to limit the right of the judge to order the summoning of talesmen from among the bystanders or persons in proximity of the courthouse.(20)

This act was repealed by an act of 1894 which provided that five discreet citizens, appointed by the district judge and serving during his pleasure, should constitute the jury commission. The clerk of court remained an ex officio member of the commission. Three members along with the clerk of court were sufficient to act together. They were required to take an oath faithfully to discharge the duties imposed on them. They were required to make up a list of twenty-four names from which a grand jury was to be selected. If, in their judgment a jury would be required, they then selected thirty additional names for each week for which a petit jury would be needed. Additional jurors might be selected whenever the district judge thought proper.(21)

This act was in turn repealed by an act of 1896 which, however, did not change the constitution of the jury commission. The jury commission was directed to make up a jury box of three hundred names and select the jurors to be empaneled therefrom in the presence of two disinterested witnesses.(22)

The composition and duties of the jury commission were defined again in 1898 in conformance with Articles 116 and 117 of the Constitution adopted that year. Few changes, however, were introduced. The membership of the jury commission and the procedure for drawing juries remained the same. The number of grand jurors, however, was reduced from fifteen to eleven members and a foreman, drawn from a list of twenty names selected and placed in a sealed envelope known as the grand jury list. In districts composed of more than one parish the district judge might empanel the grand jury. The jury commission was to meet at least twice a year to examine and revise the jury list. The names of the jurors selected were to be published in the official journal of the parish or posted on the courthouse door.(23)

The law of 1898 defining the duties and composition of the jury commission is still active. It has, however, been amended. The jury commissioners were allowed a \$3.00 per diem and five cent per mile traveling allowance by an act of 1902.(24) In 1914 the jury commission was directed to select one hundred tales jurors in addition to the regular petit jurors for the trial of criminal cases from which a new jury might be selected whenever the general venire box became exhausted.(25) This act was amended in 1916, however, to read that this was not to limit the right of the district judge by and with the consent of the district attorney, after the list of regular jurors became exhausted and after the trial had commenced, to order the summoning of talesmen from

20. La. A., 1877, #44, sec. 7. 23. La. A., 1898, #135, secs.
 21. La. A., 1894, #89, secs. 3-10; *ibid.*, 1904, #58.
 1-6. 24. La. A., 1902, #11, sec. 1.
 22. La. A., 1896, #99, sec. 5. 25. La. A., 1914, #182, sec. 1.

the bystanders or persons in proximity of the courthouse.(26) In 1938 the act was amended again and the proviso added that whenever the district judge deemed it proper he might order the jury commissioners to draw the names of fifty persons to serve as petit jurors for the first or second additional weeks of the court term if necessary.(27)

The records of the jury commission are kept by the clerk of court, in the second floor vault.

313. JURY VENIRE BOOK, Mar. 8, 1877-Feb. 16, 1894, Oct. 26, 1896--. 5 vols.

Proces-verbaux of meetings of the jury commission, detailing the manner in which newly appointed commissions, at initial meetings, destroy all juror slips which had been placed in the general venire box by the preceding commission; the compilation of a general venire list from which names are selected and placed in the general venire box; the naming of grand jurors from the venire list, and drawing of petit jurors for each week of the current court term from the general venire box; the delivery of the locked and sealed jury box in which has been deposited sealed envelopes containing the names of grand and petit jurors to the clerk of court, together with the sealed venire box; and the placing of names of talesmen in the tales jury box by the commission; and, how at subsequent meetings, the commission strikes from the venire list and removes from the general venire box the names of persons who have become exempt or disqualified and those who have served as jurors since the previous drawings, and supplements the original list and the ballots in the venire and tales boxes with the names of the same number of qualified jurors so as to keep the original standards. Details are also given as to the manner in which the clerk of court delivers to the sheriff a copy of the list of names drawn so as to have the persons summoned to appear in court, and another copy to the editor of the official parish journal for publication. Each proces-verbal bears the date of meeting and is signed by the jury commissioners present, the official witnesses and the clerk of court. Included in this record are copies of court orders appointing jury commissioners, affidavits by the clerk of court that commissioners were notified of their appointments, and upon their appearance at court duly sworn; and original oaths, signed by commissioners and bearing jurat of judge. Pasted into the volumes are original orders of appointment, replacement appointments, and orders to the clerk to assemble jury commissioners, all giving filing date and signature of recorder; and orders by clerk for jurors to appear, sheriff's return of service, and letters requesting the release of individuals from jury duty. Arr. chron. by dates of meetings. No index. Hdw. 1877; typed 1901--. Avor. 300 pp. 16 x 10 x 2.

314. JURY VENIRE LIST AND SUPPLEMENTAL LIST, Oct. 26, 1896-Sept. 7, 1909. 1 vol.

List of qualified electors subject to jury service; giving name in full and ward number. Arr. chron. by dates of lists. No index. Hdw. 200 pp. 16 x 10 x 1.

26. La. A., 1916, #122, sec. 1. 27. La. A., 1938, #99. ibid., 1918, #113, sec. 1.

315. JURY BOOK, Nov. 3, 1925--. 1 vol.

Lists of persons selected each week for petit jury service and those selected for grand jurors; giving date of initial appearance, name of juror in full, number of ward in which he resides, dates present, dates absent, reason for absence, number of days served, and notation that payment for service has been made, when such is the case. Arr. chron. by weeks called. No index. Hdw. on printed forms. 300 pp. 18 x 12 x 2.

XI. THE GRAND JURY

The grand jury, though provided for in an act of 1805,(1) was not a part of the judicial system of the parish of Jefferson, except for a two years period, until after 1846. From the time of its establishment in 1825 until 1846 jurisdiction of crimes committed in the parish of Jefferson was vested in the criminal court of the first judicial district, and grand jurors were drawn from a jury box containing names of persons residing in the first district regardless of parish lines. During the last week of every month, the parish sheriff of Orleans and the clerk of the criminal court were directed to draw the names of forty-eight persons from the jury box for the ensuing month. These were summoned to court and sixteen of them selected by the sheriff and clerk to serve as the grand jury for one month.(2)

During the years 1832 to 1834, when the criminal court of the first district was required to hold sessions in Jefferson, the sheriff, under the direction of the court, chose from the jurors summoned, fifteen members to compose the grand jury. This grand jury was required to perform all the duties obligatory on grand juries in other parishes of the state.(3)

In 1846, however, when Jefferson Parish was assigned to the third judicial district, a law was passed providing for a grand jury of sixteen members for that parish.(4) These grand jurors were drawn each month, but two years later it was ordered that a grand jury be drawn for each of the four terms of court held in the parish, and that they serve throughout the term.(5)

In 1857, a slight change was made in the method of selection of the grand jury. The district judge was authorized to select from the panel of forty-eight one person to serve as the foreman of that body.

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| 1. Or. Terr. A., 1804-5, VIII, sec. 5; <u>ibid.</u> , L, sec. 51. | 4. La. A., 1846, #133, sec. 3; <u>ibid.</u> , 1855, #243, sec. 3. |
| 2. La. A., 1821, p. 102, secs. 2, 3, 4. | 5. La. A., 1848, #226, sec. 1. The terms of court began on the first Mondays of January, April, July, and October. |
| 3. La. A., 1832, p. 174, secs. 14, 15, repealed by <u>ibid.</u> , 1834, p. 75. | |

He, with the next fifteen names drawn, was to constitute the grand jury.(6) In 1894 a special panel, known as the grand jury list, of twenty-four names was ordered selected. From this panel the grand jury was chosen as provided in former laws. They were required to serve until their successors had been selected, or until they were discharged by the court.(7)

Four years later the membership of the grand jury was reduced to a foreman and eleven grand jurors. These were selected from a panel of twenty names known, as formerly, as the grand jury list. The grand jury was now empaneled twice a year by the district judge, and was required to serve for six months.(8)

There were no special requisites for qualification to serve on the grand jury until 1898. Before that time the qualifications were the same as for petit jury service. In 1825 jury service was limited to free, white males of sound mind, who had resided in the parish for at least six months, and who were subject to state, parish, and/or city taxes.(9) These requirements were not changed until 1833 when every free-white male over twenty-one years of age became subject to jury duty.(10) In 1840, however, the qualifications for jury service were left to the discretion of the parish judge who, with the aid of two discreet citizens, was required to draw up a list of the inhabitants of his parish who were, in his judgment, capable of fulfilling those duties.(11) In 1847, property qualifications were specifically abolished as a requirement for eligibility for jury duty,(12) and in 1855 any qualified voter became subject to call for jury service.(13) During the Reconstruction, jurors were ordered to be selected from the lists of qualified voters without distinction as to race, color, or previous condition.(14) In 1877 it was required that the juror be a bona fide male citizen of the parish, not under interdiction. The judge was given the right to decide the competency of jurors in cases of ignorance of the English language, or of infirmity.(15)

The qualifications of jurors as defined in 1898 are that the juror must be an American citizen, a citizen of the State of Louisiana, a bona fide resident of the parish for one year, not under interdiction, and an intelligent person of full age without distinction as to race, color, or previous condition. The judge retained the power to determine competency for service in the case of infirmity or inability to

6. La. A., 1857, #183; <u>ibid.</u> , 1868, #110; <u>ibid.</u> , 1870, E. S., #37; <u>ibid.</u> , 1873, #94; <u>ibid.</u> , 1877, #44.	9. Cf. Or. Terr. A., 1810, X; La. A., 1826, p. 44.
7. La. A., 1894, #89, secs. 4, 5.	10. La. A., 1833, p. 55, sec. 1.
8. Const., 1898, art. 116; La. A., 1898, #135, secs. 3-10, amended by #58 of 1904; #155 of 1906; #154 of 1926; and #99 of 1938. This excepts Cameron, where the grand jury	11. La. A., 1840, #32, secs. 1-3.
	12. La. A., 1847, #258.
	13. La. A., 1855, #243, sec. 1.
	14. La. A., 1868, #110, sec. 3.
	15. La. A., 1877, #44, sec. 1; <u>ibid.</u> , 1894, #89, sec. 1; 1896, #99, sec. 1.

understand the English language. In addition to these qualifications, those chosen for grand jury duty must be able to read and write the English language and be persons of well known good character and standing in the community.(16) This law is still active as far as the qualifications for grand jury membership are concerned.

Exemptions from grand, as well as petit jury service, as defined in 1826 included members of the legislature, their officers and clerks during its sessions, the governor, the secretary of state, and all public officers commissioned under the United States government, mayors and recorders of cities, judges and officers of the courts, attorneys, notaries, ministers of the gospel, clerks and treasurers of incorporated administrations and institutions, all persons over sixty years of age, the infirm or valetudinary, physicians, and apothecaries.(17) School administrators and treasurers were exempted from jury duty in 1827,(18) and in 1833, the inhabitants of the faubourgs of Nuns and Lafayette were specifically exempted.(19) Another special act of 1846, exempted from jury duty those persons living in the district of Barataria and sea-shore of Jefferson Parish.(20)

The list of exemptions was increased by an act of 1855, which exempted, in addition to those mentioned above, all school teachers, convicts, those charged with the superintendence of slaves, all workmen employed on city works or connected with city commissaries, and members of incorporated fire companies. In Jefferson Parish again residents of that part of the parish lying along the sea shore, and known as Grand Isle, Grand Terre, and Cheniere Caminada were specifically exempted.(21) The list of those legally exempt from jury service was lengthened in 1868 by the addition of the names of the lieutenant governor, the state auditor, the state treasurer, the superintendent of public education, auctioneers, and police jurors.(22) Members of the jury commission were included in the list in 1877, and those who had served as jurors the two years immediately preceding.(23) Telegraph and telephone operators were excused in 1890,(24) and chief engineers of electric plants, water works, ice plants, and sugar factories were exempted in 1898.(25) The list of exemptions has not been extended since then.

Vacancies occurring in the grand jury panel are filled in the same manner as the original panel is made.(26)

16. La. A., 1826, p. 44.	19. La. A., 1833, p. 55, sec. 3.	22. La. A., 1868, #110, sec. 2.
17. La. A., 1826, p. 44.	20. La. A., 1846, #133, sec. 1. amended by #137 of 1852.	23. La. A., 1877, #44.
18. La. A., 1827, p. 80, sec. 11.	21. La. A., 1855, #243, sec. 1.	24. La. A., 1890, #27; <u>ibid.</u> ,
25. La. A., 1898, #135, sec. 2. amended by #154 of 1920.	26. La. A., 1829, #59, sec. 11; <u>ibid.</u> , 1840, #32, <u>ibid.</u> , 1846, #96, amended by #138 or 1852; <u>ibid.</u> , 1846, #133 amended by #226 of 1848, and #137 of 1852	

(Next entry 316, p. 210)

The Grand Jury

Any grand juror who fails to inform the grand jury of any violation of the criminal laws of the state, or of any crime committed within the parish, which may have come to his personal knowledge, or of which he may have been informed, is subject to conviction and punishment either by fine or imprisonment in ratio to the magnitude of the crime. In such event any member of the grand jury is declared to be a competent witness against another member charged with such negligence.(27)

The per diem allowance of \$2.00 was established for grand and petit jurors in 1855, and a mileage allowance of five cents for one trip to and from the courthouse. The juror received from the clerk of court a certificate of the amount due him. These certificates were receivable in payment of parish taxes, or could be paid out of funds not otherwise appropriated in the parish treasury.(28) In 1877, the per diem allowance for jury duty was abolished, except for those living at a greater distance than seven miles from the courthouse. These were allowed a per diem of \$1.00 for each day of service. All jurors were exempt from road duty for the year in which they had served as jurors.(29) In 1894, in addition to exemption from road duty, each juror was entitled to demand and receive \$1.50 per diem and ten cents a mile for one trip to and from the courthouse.(30) The per diem allowance was raised to \$2.00 in 1896 and the mileage allowance was cut to five cents.(31) In 1912 the per diem of jurors, grand and petit, was raised to \$2.50,(32) and in 1920 to \$4.00.(33)

The list of the panel from which the grand jury is drawn must be published in the official journal of the parish, or in case there is no official journal, in some other newspaper. In the event that there is no such newspaper, then the list must be posted at the courthouse door.(34)

In addition to the legal inquiry into violations of the criminal laws of the state, the grand jury has, from time to time, been charged with other duties. As early as 1818, it was required to present to the district judge for prosecution, syndics who neglected their duties as inspectors of the roads of the parish.(35) In 1821, it was charged with the duty of inquiring into the use made by school trustees of the monies drawn from the state.(36) Every grand jury is required to

27. La. A., 1869, #78; Rev. Stat., secs. 2140, 2141.	32. La. A., 1912, #113.
28. La. A., 1855, #243, sec. 5; <u>ibid.</u> , 1857, #203; <u>ibid.</u> , 1868, #110, sec. 5.	33. La. A., 1920, #173, sec. 1.
29. La. A., 1877, #44, sec. 8, amended by #46 of 1878.	34. La. A., 1896, #99, sec. 5. amended by #154 of 1926; and #99 of 1938; <u>ibid.</u> , 1898, #135, sec. 4.
30. La. A., 1894, #89, sec. 7.	35. La. A., 1818, p. 60, sec. 11.
31. La. A., 1896, #99, sec. 8; <u>ibid.</u> , 1898, #135, sec. 13; <u>ibid.</u> , 1926, #154; <u>ibid.</u> , 1938, #99.	36. La. A., 1821, p. 66, sec. 8; <u>ibid.</u> , 1828, #62, secs. 2, 3; <u>ibid.</u> , 1847, #225, sec. 34; <u>ibid.</u> , 1848, #178; <u>ibid.</u> , 1853, #250, sec. 30.

Juvenile Court

(Next entry 316, p. 216)

inspect the prisons within their respective districts, and report to the judge the manner in which the prisoners are treated, and whether the sheriff, jailer, prison-keeper, or any of his deputies should be presented by them for not having complied with the laws regulating the treatment of prisoners.(37)

In the discharge of the duty of inquiry into infractions of the criminal law of the state, the foreman of the grand jury is authorized to administer the oath required by law to all witnesses brought before that body,(38) the grand jury may adjourn for any time not exceeding three days without leave of the court, but for a longer time the permission of the court must be obtained.(39) In cases where the grand jury, in the inquiry into the commission of any crime, find the person insane or mentally deranged, they omit to find a bill of indictment, but must certify the fact of the insanity to the court in order that the court can commit such a one to the state insane asylum.(40) In 1908 it was made the duty of the grand jury to investigate violations of the laws relative to veterinary surgeons, when such violations were reported to it by the state board of veterinary examiners.(41) Nine of the members of the grand jury must concur to bring in an indictment.(42)

The reports of the grand jury are filed in the office of the clerk of court.

XII. JUVENILE COURT

It was not until 1906 that the district court(1) was permitted to hold special sessions for the trial of juveniles, but legislation relative to the trial of juvenile delinquents had been passed as early as 1894. This legislation of 1894 provided that upon affidavit specifying that the physical or moral welfare of a child was seriously endangered by the neglect, abuse, or vicious or immoral habits or associations of its parents, or parent-tutors or other person or persons having custody of such child, the district judge was authorized to remove such child from the custody of such parents or guardians if the proof were sufficient to establish the facts set forth in the affidavit.(2) The Louisiana Society for the Prevention of Cruelty to Children was

37. La. A., 1855, #246, sec. 3; Rev. Stat., sec. 2130.	41. La. A., 1908, #202, sec. 18.
38. La. A., 1848, #157; <u>ibid.</u> , 1855, #246, sec. 1; Rev. Stat., sec. 2137.	42. La. A., 1898, #135, sec. 7. <u>ibid.</u> , 1906, #155; Const., 1913, art. 117; Const., 1921, art. VII, sec. 42; La. A., 1926, #154.
39. La. A., 1855, #246, sec. 2; Rev. Stat., sec. 2138.	1. La. A., 1906, #62, sec. 1.
40. La. A., 1855, #131, sec. 19; Rev. Stat., sec. 1778.	2. La. A., 1894, #79, sec. 1.

authorized to institute suit and conduct proceedings in the name of the state in such cases without court charges.(3)

After 1906 the district court sitting for the trial of juveniles was known as the juvenile court and kept its dockets, records and proceedings separate from all other proceedings of the district court. The powers of the court could be exercised upon the petition of any resident citizen, setting forth that a child was neglected, dependent or delinquent and was in need of the care and protection of the court, or whenever any magistrate in committing a child arrested for an indictable offense certified that in his opinion the good of the child and the interest of the state did not require a prosecution upon an indictment under the criminal law of the state. The court might commit delinquent children to the care of a probation officer and either allow the child to remain in his own home, or be placed in a suitable family home subject to the supervision of a probation officer, or a suitable institution for the care of delinquent children. It was not lawful to commit the custody of any child under the age of twelve years to any institution of correction or reformation unless, after the care and oversight given such child under the probation system, the court found that the best interest of the child and the welfare of the community required such commitment. In no case was a child to be held in confinement in any parish or other jail, police station, or in any institution to which adult convicts were sentenced.(4)

In 1908 another act providing for a juvenile court was passed and submitted to the electors as a constitutional amendment. This act was approved by a majority of the electors and adopted in the same year.(5) In 1910, however, the act of 1908 was suspended in so far as it affected all parishes outside Orleans, except those which contained an incorporated town of more than 7,000 inhabitants. In parishes which did not contain an incorporated town of more than 7,000, the police jury could, by resolution to the governor, make application for such a court.(6) This latter act was also submitted as a constitutional amendment, adopted in the same year, and included in the constitution of 1913.(7)

The Constitution of 1921 provided for juvenile courts in all parishes, and also authorized the legislature to create the office of judge of the juvenile court in any parish containing a municipality of 25,000 or more inhabitants. Such judges have all the power conferred upon the district judge when he acts as judge of the juvenile court.(8) Otherwise the judge of the district court is ex officio

3. La. A., 1894, #79, sec. 4.	7. La. A., 1910, #135; Const., 1913, art. 118, sec. 5. amended by #13 of 1916.
4. La. A., 1906, #82, secs. 1, 2, 4, 7, 10; <u>ibid.</u> , 1908, #83, secs. 9, 16-18.	8. Const., 1921, art VII, sec. 52; La. A., 1936, #324, sec. 1; <u>ibid.</u> , 1938, #198, sec. 1.
5. La. A., 1908, #83; #245.	
6. La. A., 1910, #48, secs. 1, 2.	

judge of the juvenile court and in districts with more than one judge each has full jurisdiction in respect to juvenile delinquency.(9)

The court may commission probation officers whose salaries are fixed by the police jury. Such officers take charge of the child before and after trial, under the direction of the court, and are vested with all the powers and authority of sheriffs to make arrests and perform other duties incident to their office.(10) The probation officer may be directed by order of the court to visit and supervise families receiving relief in mother's aid cases.(11)

The juvenile court may sit in chambers and may hold its sessions irrespective of terms of court.(12) The clerk of the district court is ex officio clerk of the juvenile court and keeps the records of the same.(13) The officers of the juvenile courts were forbidden under the Constitution of 1913 to collect any costs of court for any official services rendered.(14) The Constitution of 1921 provides that the expenses of the said court be paid by the parishes.(15) Appeals from the juvenile court are taken directly to the supreme court.(16)

The district court sitting as juvenile court has jurisdiction, except for capital crimes, of the trial of all children under seventeen years of age, and of all persons charged with contributing to the neglect or delinquency of children under seventeen years of age.(17) The words "delinquent" and "neglected" applied to children are defined by law.(18)

The juvenile court also has jurisdiction over all cases of desertion or non-support of children by either parent.(19) and of all cases of truancy from school.(20) In 1920 mother's aid cases were placed under its jurisdiction.(21) The decree of the juvenile court is sufficient warrant on the parish treasurer for the payment of assistance under the designs of the act providing aid to mothers with

9. Const., 1921, art. VII, sec. 52, amended by #324 of 1936; La. A., 1938, #198, sec. 1. Orleans and Caddo parishes are the only ones having special juvenile courts.	16. Const., 1921, art. VII, sec. 54.
10. La. A., 1906, #82, secs. 3-6; <u>ibid.</u> , 1908, #83, secs. 11, 13; Const., 1913, art. 118, secs. 1, 2, 4; La. A., 1921, E. S., #83, sec. 4.	17. La. A., 1908, #83; <u>ibid.</u> , 1910, #48, sec. 3; Const., 1913, art. 118, amended by #201 of 1918; Const., 1921, art. VII, sec. 52; La. A., 1921, E. S., #83; <u>ibid.</u> , 1938, #198, sec. 3.
11. La. A., 1920, #209, sec. 7, repealed by #46 of 1930.	18. Const., 1913, art. 118, sec. 3.
12. La. A., 1936, #324, sec. 1.	19. La. A., 1908, #83, sec. 9; <u>ibid.</u> , 1910, #48, sec. 3; Const., 1921, art. VII, sec. 52; La. A., 1936, #324, sec. 1; <u>ibid.</u> , 1938, #198, sec. 1.
13. Const., 1921, art. VII, sec. 53.	20. La. A., 1916, #27, sec. 5; <u>ibid.</u> , 1922, #117, sec. 5.
14. Const., 1913, art. 118, sec. 2.	21. La. A., 1920, #209, sec. 1, repealed by #46 of 1930.
15. Const., 1921, art. VII,	

dependent children.(22) In 1936 an amendment to the constitution was adopted providing that the juvenile court exercise jurisdiction over the adoption of all children under seventeen years of age.(23) All cases for the annulment of adoptions are held in the juvenile court as well.

(24) In cases of juvenile delinquency where the charge against an adult would be a crime punishable by hard labor, the court may commit the delinquent child in question to the state reformatory for an indefinite period, but in no case beyond the minority of the child.(25) Where parish industrial schools for colored youths have been established, the judge of the juvenile court within the parish has discretionary authority to commit any colored male youth tried and convicted to such institution for an indefinite period, but in no case beyond the minority of the child.(26)

It should be noted that in cities and wards where city courts have been created under section 51 of article VII of the Constitution of 1921, the judges of such courts are ex officio judges of a juvenile court within their jurisdiction. In such capacity the city judge has concurrent jurisdiction with the district judge in juvenile matters. A city judge acting in such capacity receives, in addition to his other salary, \$1,200 annually paid by the state. The sessions of the court are held apart from the other sessions of the city court, and the judge may sit in chambers irrespective of the terms of court.(27)

The records of the juvenile court in Jefferson Parish are located in the office of the clerk of court in the second floor vault at the courthouse.

316. JUVENILE [Case Papers and Documents], Jan. 9, 1917--. 6 steel file drawers, (labeled by incl. docket nos. 1-1301).

Original papers filed in juvenile cases, including bills of information filed by district attorney, true bills of indictment returned to court by the grand jury, orders by court for the payment of alimony, for the appearance of defendant to show cause why he should not be held in contempt of court for non-payment of alimony, and those for the appearance of person to whom alimony is paid to show cause why the amount should not be reduced when such action is necessitated by defendant's inability to pay the original amount; physician's certificates introduced as evidence of defendant's inability to pay, subpoenas issued on defendants and witnesses, and commitments of delinquent minors to institutions. All documents give docket number, title of case, date filed, and signature of recording official. Arr. numer. by docket nos. and chron. by dates instituted. No index. Hdw. and typed on printed forms. Aver. 300 sets of case papers, 11 x 5 x 14.

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| 22. La. A., 1920, #209, sec. 4. | 25. La. A., 1908, #83, sec. 17. |
| 23. La. A., 1936, #324; <i>ibid.</i> , 1938, #428, sec. 14. | 26. La. A., 1938, #226, sec. 2. |
| 24. La. A., 1936, #233, sec. 14, repealed and superseded by #428 of 1938. | 27. La. A., 1938, #198, amending sec. 52, art. VII of the Constitution of 1921. |

317. JUVENILE DOCKET, Dec. 30, 1924--. 1 vol. Missing: vol. 1917-Dec. 1924.

Calendar of cases docketed for trial, giving docket number and title of case, list of papers filed, filing dates, plea of defendant and judgment of the court. Arr. numer. by docket nos. and chron. by dates instituted. Indexed in vol., alph. by first letter in surname of defendant, chron. thereunder, giving docket no. of case. The index also has a list of the cases docketed in the missing volume. Hdw. on printed forms. 400 pp. 18 x 12 x 2.

318. MINUTES, JUVENILE COURT, Jan. 9, 1916--. 5 vols. (B-D, first and last vols. not labeled).

Minutes of the proceedings of this court in cases involving delinquent children, adults contributing to the delinquency of minors, non-support of children and other legal dependents, and similar matters concerning minors. In this record are lists of bills of information filed by the district attorney, and summaries of proceedings in each case, including arraignment and plea of defendant, fixing of date for trial, motions by counsel, orders for bond to be posted by defendant, for fines to be paid for contempt of court or non-payment of alimony, and those awarding legal custody of minor children of estranged parents, committing delinquent minors to institutions or releasing them into custody of their parents, and judgments of the court. The minutes of each session give date on which it was held, district number of court and name of presiding judge. Arr. chron. in the order considered. No index. Typed. Aver. 300 pp. 18 x 12 x 2.

319. RECEIPT BOOK, 1910-29. 3 vols.

Receipts acknowledging alimony payments received from the clerk of court; giving place and date alimony was received, amount, name of alimony payer, name of dependent designated by court to benefit by alimony, and signature of person receiving same. Included from 1910-20 are receipts for fees paid by the clerk of court for tax research, and to the sheriff for costs. Arr. chron. by dates payments were made. No index. Hdw. on printed forms. Aver. 300 pp. 10 x 8 x 2 to 16 x 8 x 3. For subsequent records, see entry 321.

320. ALIMONY RECEIPT BOOK, 1925-29. 2 vols.

Stubs of receipts issued by the clerk of court acknowledging moneys deposited with him by persons paying alimony in compliance with court orders; giving receipt date, name of payer, amount paid, and signature of deputy clerk receiving same. Arr. chron. by date of issue. No index. Hdw. on printed forms. Aver. 200 pp. 9 x 14 x 2.

321. ALIMONY BOOK, 1929--. 4 vols.

Stubs of receipts issued by the clerk of court to alimony payers; giving date of issue, name of payer, amount, and date paid up to. Each stub additionally bears the signature of the person to whom the alimony was paid by the clerk, and the amount paid. On the reverse side of the stubs there are notations, in certain cases, as to why alimony is not paid up to date. Arr. chron. by date of issue. Index in vol. alph. by first letter in surname of alimony payer, chron. thereunder, giving page no. of record. Hdw. on printed forms. Aver. 200 pp. 18 x 12 x 2.

(Next entry 322, p. 227)

XIII. JUSTICES OF THE PEACE

Justices of the peace(1) were undoubtedly located in those districts of Orleans Parish from which Jefferson Parish was created in 1825. These were either re-appointed by the governor(2) or were succeeded by new appointees at the time the parish was organized. They held office during good behavior.

In order to qualify for appointment the person had to be a citizen of the United States and a freeholder in the district for which he was to be appointed.(3) In 1846, after the office was made elective, no person was eligible to the office in Jefferson Parish unless he possessed all the qualifications of a voter for representatives to the state legislature.(4) Since 1898, a candidate to this office must be a freeholder and qualified elector, able to read and write English correctly and be a citizen of good character. No commission may be issued to any justice of the peace until he has filed with the governor or secretary of state, a certificate, signed by the board of school examiners, showing that he has all the legal qualifications.(5) Any justice who does not, within sixty days after his election, furnish his certificate of qualification, vacates his office.(6)

The election of justices of the peace was first provided for in the Constitution of 1845, which re-established the office and fixed the term at two years.(7) They were elected every two years until 1879. Since then the term of office has been fixed at four years.(8)

Vacancies in the office until 1846 were filled by the governor, with the advice and consent of the senate, unless a vacancy occurred when the legislature was not in session. In such cases the governor

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| 1. In Louisiana justices of the peace were established in 1805, replacing the colonial syndics of the French and Spanish regimes. Cf. Or. Terr. A., 1804-5, XLIV, sec. 1; <u>ibid.</u> , 1806, XXV. | La. A., 1898, #155, secs. 1, 2; Const., 1913, art. 126; Const., 1921, art. VII, sec. 47. |
| 2. Cf. La. A., 1812, X, sec. 1. | 6. La. A., 1904, #39. |
| 3. Cf. La. A., 1813, p. 246, sec. 1. | 7. Const., 1845, art. 81. |
| 4. La. A., 1846, #108, sec. 2. Any free white male, over 21 years of age, a citizen of the U. S. for two years, a resident of the state for two consecutive years, and the last year, of the parish was eligible as an elector. Cf. Const., 1845, art. 10. | 8. Const., 1852, art. 78; Const., 1864, art. 82; Const., 1868, art. 89; Const., 1879, art. 125; Const., 1898, art. 126; Const., 1913, art. 126; Const., 1921, art. VII, sec. 47; see also La. A., 1855, #338, secs. 1, 2; <u>ibid.</u> , 1866, #62, sec. 2; Rev. Stat., secs. 2044, 2045; La. A., 1881, 2nd E. S., #4, secs. 16, 17. |
| 5. Const., 1898, art. 126; | |

Justices of the Peace

(Next entry 322, p. 227)

was authorized to fill vacancies by granting a commission expiring at the end of the next session of the legislature.(9) From 1846 until 1868 vacancies in the office by reason of death, resignation, or removal from the ward, were filled by election called by the police jury.(10) In 1868 the governor was authorized to fill vacancies in the same manner as previously,(11) but since 1916 his appointments do not require the approval of the senate. The appointee must possess all the qualifications required to hold the office.(12)

The number of justices to be appointed and commissioned for Jefferson Parish in 1825 was no doubt left to the discretion of the governor.(13) Their jurisdiction in civil matters, at this time, included all cases arising within their respective districts where the debt did not exceed \$50 in principal, subject to appeal to the parish court in all cases where the amount involved exceeded \$10.(14) They were authorized to pronounce judgment on all claims for money, whether as debts, damages, fines or taxes, and on all claims for the restitution of movable property when the value in dispute did not exceed the amount mentioned above.(15) They were denied jurisdiction when the matter in question involved the right of property or the possession of an immovable or slave, or the right of imposing a tax or toll, even though the demand involved less than \$50.(16)

Justices of the peace could only cite persons residing within the limits of their jurisdiction, unless the person sued was not a citizen of the state, or had no domicile.(17) In litigations where the justice was related to one of the parties, his authority could be challenged by the other party, in which case the suit was tried by the justice living nearest the residence of the defendant.(18)

The claim, answer, and the other proceedings in actions brought before any justice of the peace were made verbally, and the keeping of

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| 9. Const., 1912, art III, sec. 10; La. A., 1835, p. 55, secs. 1, 2. | 15. p. 68, sec. 4. C.P. (1825) art. 1063. |
| 10. La. A., 1846, #103, sec. 7; <u>ibid.</u> , 1855, #338, sec. 5. | 16. C.P. (1825) art. 1068. This article was amended in 1826 by striking out the words "or the right of imposing a tax or toll." hence giving the justices the right to take cognizance of such matters. Cf. La. A., 1826, p. 166, sec. 17. |
| 11. La. A., 1868, #27; Const., 1868, art. 61; Rev. Stat., sec. 1577. | 17. C.P. (1870) art. 1069, amended by #7 of 1888; art. 1070, amended by #107 of 1926. |
| 12. La. A., 1916, #236, sec. 1; <u>ibid.</u> , 1934, 2nd E. S., #21. | 18. C.P. (1870) art. 1072. |
| 13. Cf. Or. Terr. A., 1804-5, XXV, sec. 2. | |
| 14. C.P. (1825) art. 1064, 1071. Before the Code of Practice was adopted, any matter over \$20 was subject to appeal, Cf. La. A., 1817, | |

a record of such proceedings left to his discretion.(19) When such record was kept regularly, a certified copy of it was admissable as evidence on the appeal, with respect to the fact declared in it.(20)

In suits commenced before them, justices were authorized to issue orders of arrest, attachment, sequestration, and provisional seizure,(21) and also to grant commissions to take the testimony of witnesses, when such witnesses resided out of the parish.(22)

In criminal matters they acted as committing magistrates, with full power to hear and examine all complaints of any breach of the peace or other crime or misdemeanor,(23) and in case of absence or impediment of the parish judge, the senior justice of the peace was authorized to discharge the duties of the parish judge in matters pertaining to the trial of slaves accused of capital or other crimes. In the event of the senior justice's inability to act, then any other justice could perform his function.(24)

Aside from their judicial functions, justices of the peace were authorized to celebrate marriages when granted a license by the parish judge.(25) Family meetings could be held before them, when appointed to do so by the parish judge,(26) and they could affix seals or take them off.(27)

In 1832 the police jury was authorized to divide its parish into as many sections as it thought proper, and for each section thus laid off, one or more justices of the peace could be appointed. Contingent on this division of Jefferson Parish, the justice of the peace in the section containing the suburbs of the Nuns, Lafayette, Livaudais, and Wiltz, was to exercise jurisdiction in cases involving up to \$100,

- 19. C. P. (1870) art. 1073. If a record was kept by a justice (in a bound book) it was to be arranged in the order of the date the different causes were brought before him, giving the title of the suit, the object and amount of the demand, the date of citation and service, the answer of the defendant if he appears and his non-appearance if he makes default, the names of the witnesses if any are produced by either party, the date and text of the judgment, and the date of appeal if any. C.P. art. 1074.
- 20. C.P. (1870) art. 1076.
- 21. C.P. (1870) art. 1096.
- 22. C.P. (1870) art. 1155.
- 23. Cf. Or. Terr. A., 1804-5, VIII, secs. 1, 2; XLIV, secs. 2, 3.
- 24. La. A., 1825, p. 206, amended by #134 of 1843.
- 25. Such licenses were granted to justices, upon giving a \$2,000 bond, when there were not sufficient priests or ministers in the parish to celebrate marriages. Or. Terr. A., 1807, XVII, sec. 29; see also C.P. art. 102.
- 26. C.C. arts. 305, 308.
- 27. C.C. arts. 1070-1086.
- 28. La. A., 1832, p. 150, secs. 1, 3.

with the right of appeal for all sums over ten dollars.(28)

When the city court of Lafayette was established in 1835, the authority of the several justices of the peace within the said city ceased, and they were ordered to deliver their records to the judge of the new city court.(29)

In 1840 any justice of the peace situated at Cheniere Caminada, or Grand Isle, in the parish of Jefferson, was vested with succession jurisdiction involving property up to \$1,500. Such justice was granted the same powers, and entitled to the same fees for the settlement of successions as the parish judge received when acting as probate judge. He could also be commissioned by any judge of the court of probates, or parish or district judge in the state, to take the inventory of property situated in this section of the parish, belonging to successions opened in the parish or any other parish in the state. Whenever the justice of the peace handled a succession he was required to send certified copies of all acts of procedure executed by him to the office of the parish judge, within a period of not more than ninety days.(30) After the office of parish judge had been abolished, such acts of procedure were transmitted to the clerk of court.

Following the adoption of the Constitution of 1845, the general assembly re-organized the justices of the peace in and for Jefferson Parish. It provided for the election of six justices of the peace. These were to serve in the justices' wards or districts as follows: 1) two justices for the city of Lafayette; 2) one justice for all that portion of the parish within the upper line of the city of Lafayette and the lower limit of Greenville; 3) one justice for all that portion of the parish within the lower limit of Greenville and the upper limit of the parish on the left bank of the Mississippi River; 4) one justice for all that portion of the parish within the lower limit thereof, on the right bank, and the upper limit of the parish; 5) one justice for that portion of the parish known as Grand Isle, Grand Terre, and the Cheniere Caminada.(31) As a result of this re-organization the city court of Lafayette was required to transfer its pending cases, as well as its records, to either of the justices of the peace elected for that city. Cases pending before each of the other justices were likewise ordered transferred to the justices elected for the district in which the respective cases were pending.(32)

- 29. La. A., 1835, p. 212, secs. 2, 3, amended by #95 of 1843 and #51 of 1845. The jurisdiction of the city court of Lafayette included all civil causes, except those affecting title to real estate, not exceeding \$150, subject to appeal to the parish court when the amount in dispute exceeded \$10 and did not exceed \$100. All sums above \$100 were appealable to the parish or first district court at the discretion of the appellant. La. A., 1835, p. 212, sec. 4.
- 30. La. A., 1840, #97; *ibid.*, 1855, #315, secs. 10, 11.
- 31. La. A., 1846, #108, secs. I, 3.
- 32. La. A., 1846, #141, sec. 4.

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These newly elected justices were not permitted to exercise any jurisdiction outside the district for which they were elected. But this was not to be so construed as to deny them the right to summon witnesses from any other district and force their attendance if they lived within five miles, or to sue any person not a citizen of the state. Any resident could be sued before the justice nearest his residence, and whenever a justice was unable to perform his duties because of sickness or inability, the nearest justice could take his place.(33)

The civil jurisdiction of these officers was extended to all demands up to \$100, exclusive of interest and costs, with the right of appeal to the district court from all final judgments involving \$25 in principal. Any judgment rendered by a justice which involved the constitutionality or legality of a tax, toll, impost, or a fine, forfeiture or penalty imposed by a municipality, could be appealed regardless of the amount involved.(34)

Justices of the peace were declared to be conservators of the peace and were authorized to act as examining and committing magistrates. In Jefferson Parish those justices of the peace situated in the city of Lafayette, the town of Carrollton and the borough of Freeport were authorized also to take cognizance of violations of ordinances in these municipalities.(35) Justices were empowered to issue, in the exercise of their authority, the necessary writs, orders, and process.(36) They were also granted the privilege of issuing marriage licenses in their respective districts, as well as the authority to celebrate marriages.(37)

Any two justices of the peace in the parish, together with ten owners of slaves, constituted a tribunal for the trial of all offenses committed by slaves. In the trial of crimes not capital, however, two slaveholders, with the justices, were all that were required.(38) The tribunal was continued by acts of 1855 and 1857 with no changes except that for crimes not capital the tribunal was to be constituted of the justices and four slave owners.(39)

In 1852 the powers of the justices of the peace were increased. They were authorized to issue writs of injunction enjoining the execution of judgments,(40) and to take cognizance (except in incorporated cities) of all infractions of levee and municipal ordinances and regulations where the penalty imposed in the law did not exceed \$100.(41) In the same year (1852) an additional justice was established for that part of Jefferson Parish which embraced the upper limits of the city of Lafayette, and the lower line of the town of Greenville. He was given authority to exercise all the powers and jurisdiction granted to

33. La. A., #108, secs. 5, 8, sec. 8 amended by #219 of 1847.	38. La. A., 1846, #137.
34. La. A., 1846, #108, sec. 6; <u>ibid.</u> , 1848, #88.	39. La. A., 1855, #308, sec. 40; <u>ibid.</u> , 1857, #232; State vs. Peter, a slave, 14 La. Ann, 521, (1859)
35. La. A., 1846, #108, sec. 8, amended by #219 of 1847; <u>ibid.</u> , 1847, #111.	40. La. A., 1852, #62; <u>ibid.</u> , 1855, #338, sec. 8.
36. La. A., 1846, #137.	41. La. A., 1852, #275.
37. La. A., 1846, #108, sec. 7.	

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justices of the peace generally.(42)

The Constitution of 1852 made no changes in the jurisdiction of justices of the peace, except that cases were subject to appeal when the amount sued for, or the value of the object in dispute exceeded \$10, instead of \$25 as formerly.(43) Statutory laws passed under this constitution also granted justices the authority to appoint curators ad litem for minors in cases where the claim did not exceed \$100,(44) and to protest promisory notes and bills of exchange, in the presence of two witnesses, in the case of default of notaries or parish recorders.(45) Their power in respect to granting marriage licenses was reaffirmed by an act of 1858, which also declared that they were to receive the same fees for such service as was allowed by law to the justices of the peace in and for the city of New Orleans.(46)

In 1857 the courts of the justices of the peace of Jefferson Parish were again re-organized. There were to be seven justices elected at the next general election, and every two years thereafter, by the voters of the following areas: two by the voters residing in the city of Jefferson and that part of the parish located between the upper limits of said city and the lower limits of the town of Greenville, on the left bank of the Mississippi River. The courts of the justices in this area were to be designated as No. 1 and No. 2. Justice's court No. 1 was required to be held in the first ward of the city of Jefferson, and justice's court No. 2 in the third ward of said city. These courts were to be "entitled to the records of the old second Justice's Court of the parish of Jefferson." One justice was to be elected by the voters of the town of Carrollton and Greenville; his court to be known by No. 3; one by the voters residing between the upper limits of the town of Carrollton, the lakeshore and the upper line of the parish on the left bank of the Mississippi River, and known as No. 4; one by the voters residing on the right bank of the Mississippi River, comprising the first, second, third, fourth, fifth and sixth police jury wards, and known as No. 5; one by the voters of the Barataria district, whose court was to be No. 6; and one by the voters of Cheniere Caminada, Grand Isle, and Grand Terre, known as No. 7. These justices were to exercise the same jurisdiction, perform the same duties and receive the same emoluments as defined by existing laws and by the constitution.(47) In 1861, an additional justice's court, designated as No. 8; was created for the fifth and sixth police jury wards of the parish on the right bank of the Mississippi River.(48)

These eight justices' courts were abolished in 1865 and replaced by five justices' courts in the following limits: 1) in the city of Jefferson and that portion of the parish between the upper limits of

42. La. A., 1852, #124.	1855, #338, sec. 14.
43. Const., 1852, art. 78; La. A., 1855, #121, secs. 34-49, amended by #160 of 1868; <u>ibid.</u> , 1855, #338.	45. La. A., 1855, #55, sec. 11.
44. La. A., 1853, #93; <u>ibid.</u> ,	46. La. A., 1858, #182.
	47. La. A., 1857, #234.
	48. La. A., 1861, #119.

the said city and the lower limits of the town of Greenville on the left bank of the Mississippi River; 2) the towns of Carrollton and Greenville and that portion of the parish lying between the upper limits of the town of Carrollton, the lakeshore and the upper line of the parish on the left bank of the Mississippi River; 3) that portion of the parish on the right bank of the Mississippi River; 4) the Barataria district; 5) Cheniere Caminada, Grand Isle and Grand Terre.(49) Their jurisdiction remain unchanged(50) except that they were also authorized to act as coroners whenever a dead body was found within their limits.(51)

The number of justices' courts was increased to seven the following year and the districts re-arranged. These districts were 1) the city of Jefferson, and that part of the parish between the upper limits of said city and the lower line of the village of Greenville on the left bank of the Mississippi River; 2) that portion of the parish on the left bank of the Mississippi River, lying between the lower limits of the village of Greenville, including the city of Carrollton, and that part of the parish between the city of Carrollton and the lower limits of the plantation of Beausejour Boisblanc; 3) that portion of the parish between the lower limits of the plantation of Beausejour Boisblanc, on the left bank of the Mississippi River, and the upper limits of said parish, including Kennerville; 4) that portion of the parish on the right bank of the Mississippi River between the lower limits of the river as far up as the canal of the Barataria and Lafourche Canal Company, running from the river on said right bank; 5) all that portion of the parish between the Canal Barataria and Lafourche Canal Company on the right bank of the river, and the upper limits of said parish; 6) the Barataria district; 7) Cheniere Caminada, Grand Isle, and Grand Terre.(52)

The Constitution of 1868 made no changes in the jurisdiction of the justices of the peace. Amounts in dispute exceeding \$10, however, were subject to appeal to the parish court instead of the district court as previously.(53)

In 1869 an additional justice's court, known as No. 8, was created for the first ward of the parish, and the governor authorized to appoint a justice for said court until the next general election. This court was to exercise concurrent jurisdiction with the first justice's court.(54) After the city of Jefferson was annexed to the city of New Orleans, the justices' courts of Jefferson Parish were reduced to six. These courts were in the following limits; 1) that portion of the parish lying on the left bank of the Mississippi River and between the lower limits of the city of Carrollton and the lower limits of the plantation of Beausejour Boisblanc; 2) that portion of the parish

49. La. A., 1864-65, #30. see also Rev. Stat., secs. 2047-2069 for jurisdiction and powers of justices of the peace.
50. Cf. Const., 1864, art. 82.
51. La. A., 1864-65, #30, sec. 4.
52. La. A., 1866, #11.
53. Const., 1868, art. 89; 54. La. A., 1869, #20; Rev. Stat. secs. 2107-2109.

between the lower limits of the aforesaid plantation, on the left bank of the Mississippi River, and the upper limits of the town of Kenner; 3) that portion of the parish between the lower limits of the parish as far as the Barataria Canal and the Lafourche Canal Company, running from the river; 4) that portion between the canal of the Barataria and Lafourche Canal Company, on the right bank of the Mississippi River and the upper limits of the parish; 5) the Barataria district; 6) Cheniere Caminada, Grand Isle, and Grand Terre.(55) In 1873 the second justice's court was abolished and the mayor of Kenner made ex officio justice of the peace for the area over which said court had jurisdiction.(56)

The jurisdiction of the justices of the peace was extended by the Constitution of 1879. They were given exclusive original jurisdiction in all civil matters when the amount in dispute did not exceed \$50 in principal, and concurrent jurisdiction with the district court when the amount in dispute exceeded \$50 and did not exceed \$100 in principal.(57) They were denied jurisdiction in succession or probate matters, or when a succession was a party defendant.(58) In criminal matters justices were authorized to act as committing magistrates, with the power to bail or discharge in cases not capital or necessarily punishable at hard labor.(59) But they were not permitted to furnish bail for the appearance of any person before their courts,(60) nor were they permitted to hold court building where liquor was sold.(61)

The constitutions of 1898 and 1913 re-affirmed the civil jurisdiction of justices of the peace, and further defined it as including suits for the ownership or possession of movable property not exceeding \$100, and suits by landlords for the possession of leased premises, when the monthly or yearly rent or the rent for the unexpired term of the lease did not exceed \$100.(62) In addition to being forbidden to take cognizance of succession matters, they were forbidden to exercise jurisdiction over any matter when the state, parish or any municipality or other political corporation was a party defendant, or when title to real estate was involved.(63)

Their jurisdiction, since the adoption of the Constitution of 1921, has been concurrent with the district court in all civil matters up to \$100, including suits for ownership of movable property, and suits of landlords for the possession of leased premises.(64)

The constitution has empowered the police jury to divide its parish into not more than six nor less than three justices of the peace

55. La. A., 1871, #89.
56. La. A., 1873, #71, secs. 21, 23, amended by #61 of 1878. In 1908 this law was repealed and a justice of the peace established in the ninth ward. La. A., 1908, #74; #85.
57. Const., 1879, art. 125.
58. Idem.
59. Const., 1879, art. 126.
60. La. A., 1880, #11.
61. La. A., 1892, #9.
62. Const., 1898, art. 126; Const.,
63. Const., 1898, art. 126; Const.,
64. Const., 1921, art. VII, sec. 48.

wards, but authorized the legislature to further reduce the number of justices or even abolish the office.(65) The legislature is likewise empowered to abolish justice of the peace courts in wards embracing the parish seat, or containing cities of more than 5,000 inhabitants, and to create in their stead courts with such civil jurisdiction as is vested in justices of the peace, and with criminal jurisdiction not extending beyond the trial of offenses not punishable by imprisonment at hard labor.(66)

At present Jefferson Parish has six justice of the peace courts embracing the following wards: First justice's court, wards 1, 2, and 3; second justice's court, wards 4, and 5; third justice's court ward 6, precinct 1 (Barataria); fourth justice's court, ward 6, precinct 2 (Grand Isle); fifth justice's court, wards 7 and 8; sixth justice's court, ward nine.(67)

Since 1926 justices of the peace may exercise jurisdiction over persons living outside their ward in cases involving strangers who chance to be there; of joint or solidary obligors, who may be cited at the domicile of any one of them; where any corporation commits trespass or anything for which an action of damages lies; and where there is no justice of the peace resident in any ward where he is absent or there is a legal reason for his recusation, then the justice nearest the residence of the defendant may take cognizance of such matters.(68)

The recent legislature has authorized the police jury to fix the official domicile of justices of the peace. The failure of any one of these officers to abide by the will of the police jury automatically vacates his office, and the governor is required to fill the vacancy by appointment.(69)

Justices of the peace receive only such fees as are allowed by law.(70) Since 1898 they have been prohibited from collecting fees in criminal matters and peace bond cases, but in lieu thereof, receive such salaries as may be fixed by the police jury.(71) In parishes with a population of 50,000 or over, however, the police jury is required to

65. <u>Const.</u> , 1921, art. VII, sec. 46.	70. <u>La. A.</u> , 1904, #165; see also <u>Or. Terr. A.</u> , 1804-5, XXVI, sec. 5; <u>ibid.</u> , 1807, II, sec. 2; <u>La. A.</u> , 1813, p. 176, sec. 9, repealed by act p. 132 of 1816; <u>ibid.</u> , 1855, #122, sec. 22; <u>Rev. Stat.</u> , dec. 775; <u>La. A.</u> , 1877, E. S., #7, secs. 1, 2; <u>ibid.</u> , 1898, #203, sec. 8, amended by #155 of 1904.
66. <u>Const.</u> , 1921, art. VII, sec. 51, amended by #79 of 1934 and #63 of 1936. See also <u>La. A.</u> , 1938, #198, and #316.	71. <u>Const.</u> , 1898, art. 128; <u>Const.</u> , 1913, art. 128; <u>Const.</u> , 1921, art. VII, sec. 50.
67. <u>State of Louisiana, Roster of Officials, Corrected to January 15, 1939</u> , p. 78.	
68. <u>C.J.P.</u> (1870) art. 1070, amended by #107 of 1926.	
69. <u>La. A.</u> , 1938, #318.	

pay the justices of the peace a salary of not less than \$100 per annum.(72)

Since 1855 justices of the peace have been authorized to perform the duties of the coroner in case there is no coroner or in case of the coroner's absence or inability to act.(73) Justices of the peace are also eligible for school board membership.(74)

The records of the fourth justice's court (Grand Isle) were not inventoried. Project workers were informed by the officials that third and sixth justices' courts have no records. The records of the first, second, and fifth justices' courts follow, together with older records found in the courthouse.

322. JUDGMENTS, CITY OF CARROLLTON, 1870. 1 bundle (dated 1861-68).

Transcripts of judgments issued by 2nd justice of the peace court against owners of property located in the City of Carrollton for non-payment of city tax for years 1861-68, giving, docket number, title of case, date of judgment, name of justice, amount of tax due, and date notice of judgment was issued. Arr. numer. by docket nos. No index. Hdw. Approx. 300 pp. 14 x 9 x 3. Clerk's vault, 2nd floor.

323. CRIMINAL DOCKET, FIRST JUSTICE, RIGHT BANK, Jan. 6, 1881-Nov. 28, 1883. 1 vol.

Record of criminal witnesses summoned for appearance in this court, giving, docket number and title of case for which witnesses are called, names of witnesses for state and defendant, date of trial, and, in remarks column, judgment of the court. Arr. numer. by docket nos. No index. Hdw. under hdw. headings. 189 pp. 14 x 8 x 1. Clerk's vault, 2nd floor.

324. [CIVIL AND CRIMINAL DOCKET, 3rd JUSTICE OF THE PEACE COURT, GRETNA, 8th SUB-PRECINCT OF RIGHT BANK], May 19, 1877-Oct. 15, 1879. 1 vol.

Calendar of civil and criminal cases docketed for trial before this court, giving number and title of case, charge or cause of action, date filed, list of papers served, dates of service and how served, and, in some instances, disposition of case. Arr. numer. by docket nos. and chron. by dates docketed. No index. Hdw. under hdw. headings. 100 pp. 17 x 13 x 1. Clerk's vault, 2nd floor.

325. DOCKET, JUSTICE COURT, Mar. 14, 1835-Mar. 16, 1850. 1 vol.

Record of proceedings of this court, court number not ascertainable, including summaries of civil suits and criminal cases, notations as to public nuisances complained about and notices issued for abatement of same, and proces-verbals of marriage celebrated. Summaries of civil suits, giving, docket number and title of suit, domiciles of parties at interest, allegations by plaintiff and answer of defendant, date

72. <u>La. A.</u> , 1936, #299.	<u>Rev. Stat.</u> , sec. 2056.
73. <u>La. A.</u> , 1855, #93, sec. 20;	74. <u>La. A.</u> , 1916, #120, sec. 5.