OFFICIAL JOURNAL.

THE COMMON COUNCIL.

BOARD OF ASSISTANT ALDERMEN.

FRIDAY, December 7th, 1855.

The Board met this day pursuant to adjournment.

Members present—Honorable E. L. Tracy, President; Messrs. Banister, Barbarin, Benit, Chambers, Eager, Fabre, Giffen, Guyol, Howell, Kelly, Landry, Long, McKnight, Stith, Thayer, Viollet and Wiltz—13.

The reading of the Journal was dispensed with.

By a message from the Board of Aldermen, this Board was informed that they had concurred in the following resolution adopted by this Board.

A resolution rejecting the adjudication made by the Comptroller of the working of the Fire Department.

A resolution approving the adjudications of the different markets made by the Comptroller on the 3d of December, 1855.

The following message was read:

BOARD OF ALDERMEN,
New Orleans, Dec. 5, 1855.

To the President and Members of the Board of Assistant Aldermen:

Gentlemen—The following resolutions, adopted by your honorable body, were concurred in by the Board of Aldermen:

A resolution approving the adjudication made to A. Levy & Co., for furnishing the city offices with stationery.

A resolution approving the security of F. Lafargue, Commissary of Meat Market, Second District.

A resolution to pay the Female Orphan Asylum $1,248 32-100.

A resolution authorizing the Surveyor to make the necessary repairs to the City Hall.

A resolution granting to the President and Directors of the Public Schools of the Third District, a vacant lot of ground belonging to the city, situated in said district, and allowing them the use of the money saved by them from their yearly appropriation, for the erection of a school-house on said vacant lot.

A resolution instructing the City Attorney to pray for a partition of the McDonogh estate by sale, rather than by division in kind.

A resolution to pay sundry persons for services rendered the Commercial Convention.

The following resolutions and ordinance, adopted by your honorable body, were rejected:

A resolution authorizing the Street Commissioner to have constructed a flag crossing at the junction of Old and New Magazine streets to Felicity Road.

A resolution authorizing the Surveyor to have the bridge at Carrollton Avenue repaired.

An ordinance concerning the grades of side-walks in the City of New Orleans.

A resolution authorizing the Comptroller to warrant on the Treasurer in favor of Dennis Cronan for the sum of $30 50, for excess of taxes for 1854, paid though error.

A resolution authorizing the petition of T. Gelback to be referred to the City Attorney, with power to cancel a judgment.

A resolution authorizing the City Attorney to cancel a judgment rendered against P. A. Hebrard, in favor of the late Second Municipality.

Respectfully,
CHAS. CLAIBORNE, Secretary.

The following resolutions and ordinance, rejected by the Board of Aldermen, were, on motion, persisted in, and the Committee on Streets and Landings appointed as a committee of conference on the subject on the part of this Board:

A resolution authorizing the Surveyor to have the bridge at Carrollton Avenue repaired.

A resolution authorizing the Street Commissioner to have constructed a flag crossing at the junction of Old and New Magazine streets to Felicity Road.

An ordinance concerning the grades of side-walks in the city of New Orleans.

The following resolutions, rejected by the Board of Aldermen, were, on motion, persisted in, and the Committee on Claims appointed as a committe of conference on the subject on the part of this Board:

A resolution to pay J. M. Duperey $37 87-100.

A resolution authorizing the City Attorney to cancel a judgment recorded against P. A. Hebrard.

A resolution referring the petition of P. Gelback to the Assistant City Attorney, with power to act.

The following resolution, adopted by the Board of Aldermen, was read, the rules being suspended, and, on motion, referred to the Finance Committee:

A resolution authorizing the Comptroller to warrant on the Treasurer in favor of Denis Cronan for the amount due him on assessments, for the construction of banquettes on Common street.

The following resolutions, adopted by the Board of Aldermen, were read, the rules being suspended, and unanimously concurred in:

A resolution authorizing the Surveyor to give the lines, levels and grades to the sidewalks on Common, Philippa and Baronne streets.

A resolution appointing a special joint committee to adjust all claims of the late Fire Department of New Orleans upon the city.

On motion, the Chair appointed on the committee asked for in the above resolution, the chairmen of the first five committees, to wit: Messrs. Eager, Thayer, Chambers, Bouny and Guyol.

Messrs. Bartlette, Chiapella and Rusha took their seats.

A resolution authorizing the Comptroller to sell at auction the contracts for cleaning the paved and unpaved streets and repairing the unpaved streets of the 5th and 11th Wards; and also a contract for attending the nuisance boat and wharves.

The following ordinance, as adopted by the Board of Aldermen on the 6th December, 1855, was read, the rules being suspended:

An ordinance concerning the Fire Department.

Mr. McKnight offered the following resolution as a substitute for the above ordinance, which was read and lost by the following vote:

Yeas—Messrs. Fabre, Landry, Long, McKnight, Stith and Wiltz—6.

Nays—Messrs. Banister, Barbarin, Bartlette, Benit, Chambers, Chiapella, Eager, Giffen, Guyol, Howell, Kelly, Rusha, Thayer and Viollett—14.

Resolved, That a committee of five members be appointed by the Chair to confer with the Fire Department and report as early as practicable an ordinance for the re-organization of the Fire Department.

On motion, the ordinance was concurred in by the following vote:

Yeas—Messrs. Banister, Barbarin, Bartlette, Benit, Chambers, Chiapella, Eager, Giffen, Guyol, Howell, Kelly, Rusha, Thayer, Viollett and Wiltz—16.

Resolved, That the Comptroller warrant on the Treasurer for payment of the following bills:

Boulanea Simon, hire of slave in Recorder's office, Second District, for Nov., 1855..... $30 00
Crowly, C., supplying materials and running draining machines of First and Fourth Districts, November, 1855..... 466 67
Fell, D. & Stetson, bill stationery, furnished on requisitions, Nov. 28, 1855..... 48 00
Wharfinger's Department, pay roll First District, November..... 80 00
Wharfinger's Department, pay roll Second and Third Districts, November, 1855..... 160 00
Hormez, M., painting briefs for City Attorney..... 18 75
Danziger, T., 12 pairs blankets for Third District Lock-up, Nov. 24, 1855..... 45 00
True Delta Office, subscription Board of Assistant Aldermen from Nov. 18, 1855..... 10 00
True Delta Office, subscription Mayor's Office, from Nov. 18, 1855..... 10 00
Orpheans' pay roll for November, 1855..... 221 00
Steel, J. B., bill stationery supplied Parish Recorder of Parish Jefferson for transcribing records, etc..... 736 00
Surveyor's Department, pay roll for November, 1855..... 873 70
Bulletin Office, printing 250 copies of the Wharf ordinance..... 20 00
Keller, J. H., 10 bbls. soap for use of Insane Asylum, October 18, 1855, at $2..... 20 00
Leonor Gaste, salary as Assistant Superintending Insane Asylum for Nov., 1855..... 45 00
Meilleur, S., Superintendent Insane Asylum, keeping Insane for November, 1855..... $198 94
Sundries for petty expenses..... 7 95
Salary for November, 1855..... 60 40
..... 266 89
Bergman, G. F., bill ice and for petty expenses as porter of Board of Aldermen, for June, July, August and September, 1855..... 19 10
Refreshments bills furnished officers of election, held Aug. 13, 1855:
A. Adnet, Tenth Precinct..... $12 00
A. Andry, Eleventh Precinct..... 12 00
— Azig, Fifteenth Precinct..... 12 00
..... 36 00
Martin Victor, refreshments at Eleventh Precinct Election, 25th June, 1855..... 12 00
Refreshment bills for offices of election, held Nov. 6, 1855:
J. McNamee, Third Precinct..... $24 00
R. S. Morse, Fifth Precinct..... 21 00
D. Hickel, Sixth Precinct..... 25 00
McDonnel, John, Seventh Precinct..... 21 00
J. B. Dimes, Twelfth Precinct..... 18 00
Juan Dasilva, Fifteenth Precinct..... 15 00
A. Favre, Sixteenth Precinct..... 14 00
Harvey Brooks, Eighteenth Precinct..... 10 00
D. Adams, Twenty-second Precinct..... 25 00
J. M. Hearsey, Twenty-Third do..... 24 00
M. Brasilian, Seventeenth do..... 12 00
..... 210 00

STREETS AND LANDINGS.

Mr. Thayer, on behalf of the above committee, offered the following report, which was read and, on motion, laid over till the next meeting:

The Committee of Streets and Landings have the honor to report on the following petitions referred to them, viz:

The petition of M. Carwin, lessee of the fourth section of the wharves, complaining of the barge United States occupying a space at their landing to their injury, and asking that resolution No. 1871 be repealed, which grants at the pleasure of the Council the privilege to Messrs. J. E. Caldwell & Co., to unload their barge named the United States "at the landing at the foot of St. Louis street;" and also petition of Wm. G. Howes, President of and in the name and for the Board of Directors of the New Orleans, Opelousas and Great Western Railroad Company, "remonstrating against the repeal of said resolution, No. 1871, as injurious to the city's interest as stockholder, and praying that it may not be done, but that Messrs. J. E. Caldwell & Co. may be permitted to continue to land their barge for the delivery and receipt of goods as at present; as the said Railroad Company has contracted with said parties for the transportation from Algiers of the produce brought to that place over their road, and delivered to them in city," etc. Said petition for and against the repeal of resolution No. 1871 your committee have considered in connection with ordinance No. 2364, "concerning the wharves of the city of New Orleans, and providing for the farming the revenues thereof," and have the honor to report, that as section four of the wharves was purchased by M. Carwin, one of the petitioners (which section is described in the fourth part of second section of said ordinance, 2364; that section 2364 shall comprise *all the Wharves and Landings* of said city lying and being upon the Mississippi river, and contained within the lower line of that portion of the river front of the city which is appropriated to the Canal in front of Orleans and to the upper line of Jackson street (the Wharves and Landings of said section are under the control and direction of M. Carwin lawfully observed), and the revenues to be derived therefrom undeniably his and collectable by him, all ships, vessels, steamships, steamboats, flatboats, barges and "any and every description," in accordance with first section of said ordinance.

Section 6th enumerates the reservations of the city, viz: "That the said city of New Orleans reserves to itself, and except from said sale, any house or ferry landing and each and every nuisance wharf now existing, and all revenues arising from the same. The Common Council also reserves the privilege of changing the locations of the ferries, and the Fourth District, provided the same shall not occupy more space than where it now is."

There is no mention of the privilege of Messrs. J. E. Caldwell & Co., and had the City Council, in its wisdom, granted the same, it would be a similar privilege granted in resolution No. 1871, it would have been expressly stated in said section 6th of reservations; consequently your committee must arrive at the conclusion that the committee, in framing said ordinance No. 2364, and the Common Council in adopting it, were deliberate in their action, leaving nothing for misconstruction, and *intended the repeal of resolution No. 1871*, together with *all* exclusive privileges, (save and except those enumerated in section 6th,) and all rights of ferries, and "that all ordinances or parts of ordinances, rules and regulations, that are contrary to the provisions of this ordinance, be and the same are hereby repealed."

Your committee can advise no action on either—petition for or against the repeal of said resolution. Doing so were virtually acknowledging the existence of said resolution No. 1871, which your committee, in their judgment, consider null and void—of no effect—repealed by the adoption of ordinance No. 2364, and sale accordingly; and all the rights the city had in said section 4 of the wharves, not set forth and reserved in their ordinance, have been passed away in the sale and notarial act to M. Carwin, lessee of the 4th section of the wharves, to whom all the revenues of said section are justly due and collectable, upon all ships, steamboats, barges, and other water-craft that may "come to" at the wharves of said 4th section, in which category your committee deem the barge "United States."

Respectfully submitted,
ISAAC THAYER,
W. A. VIOLETT,
WM. H. BARBARIN,
J. S. WILTZ.

Mr. Thayer, on behalf of the above committee, offered the following report, which was read and adopted:

The Committee of Streets and Landings have the honor to report on the following subjects referred to them—viz:

Your committee have had before them four petitions, numerously signed, regarding the location of the steam ferry landing at the Jackson street ferry, contract for the running of which expired in May last, and to be disposed of at public auction, as your committee have previously advised, and calling for the action of your honorable body. Two of said petitions ask that said ferry be located at Jackson street; that it may be placed at Sarapara Market landing, and the fourth that it may be allowed to remain at Josephine street.

Your committee have found it difficult to decide upon the merits of the locations as set forth in said petitions, and recommending that your honorable body take the matter into consideration, viz: "Is said location—ask that a resolution, "authorizing the Comptroller to re-sell, at public auction, the privilege of running a steam ferry across the river in the Fourth District," laid over Oct. 30th, 1855, be called up for adoption.

The petition of residents on the North side of Melpomene street, "asking that plank sidewalks be made on said street from Howard to Clara streets; also, a petition "from sundry persons asking that plank sidewalks be made on both sides of Palmyra street," your committee have considered, and with regret report they cannot recommend the granting of the prayers of the petitioners under existing circumstances.

The petition of R. C. Cammack "asking to be paid the amount of bill enclosed, ($4450) for damages sustained by the overflow from heavy rains in the rear part of the Second District," your committee report adversely to, on the ground that the city has gone to great expense to prevent the same overflow to citizens and landed proprietors, but cannot entertain a charge for damage in the premises.

Your committee recommend adoption of the preamble and resolution "requiring the Street Commissioner to have St. Anthony's canal filled up, and requiring the Surveyor to cause an outlet through Elysian Fields to be opened so as to discharge the Water of Claiborne canal into Marigny canal," amending the same by adding thereto—provided that the cost shall not exceed sixty dollars." All of which is most respectfully submitted.

ISAAC THAYER,
W. A. VIOLETT,
P. S. WILTZ,
W. H. BARBARIN,
S. HOWELL.

The following preamble and resolution referred to in the above report, was read and adopted (as recommended) by the following vote:

Yeas—Messrs. Tracy, Banister, Barbarin, Bartlette, Benit, Chambers, Chiapella, Eager, Giffen, Guyol, Howell, Landry, Rusha, Stith, Thayer and Viollett—16.

A preamble and resolution requiring the Street Commissioner to have St. Anthony's canal filled up, and requiring the Surveyor to cause an outlet through Elysian Fields to be opened so as to discharge the waters of Claiborne canal into Marigny canal.

The following resolution, accompanying the above report, was read, the rules being suspended:

Resolved, That the Comptroller be and he is authorized and instructed to sell at public auction, after ——days notice in the official journal, the steam ferry privilege for the conveyance of passengers, vehicles, freight and cattle of all kinds across the river, for the term of ten years, to date from the approval of said adjudication by the Common Council. The landing or wharf of said steam ferry to be established at the foot of Jackson street, Fourth District. Specifications, regulations, etc., on file in the Surveyor's office.

Mr. Eager moved to amend by inserting at foot of "Sarapara street," in lieu of the foot of "Jackson street"—lost.

On motion, the original resolution was adopted.

POLICE.

Mr. Guyol, on behalf of the above committee, offered the following report, which was read and adopted:

The Committee on Police beg leave to report upon the following:

1st. Upon the petition of Geo. Gowan, asking permission to erect a steam engine on his property, situated on South Market street—favorably; a resolution is presented to said effect.

2d. Upon the communication of Dr. J. Dupas, against a steam engine erected by Messrs. Loeffler & Oehmichen, on Chartres street, as a nuisance; your committee have personally examined said engine, and are unable to find any objection against its continuance, they therefore beg to be discharged from the further consideration of the subject.

3d. Upon the petition of F. A. Goltwald, for permission to establish a brewery on his property, situated corner of St. Philip and Dauphine streets, favorable.

5th. Upon the petition of the Hon. George V. Bright, Recorder of the First District, asking for an appropriation to purchase sundry articles for the use of his office; also asking that a proper room be cleaned and kept in proper order his office, favorable; your committee would take this opportunity to state, that for the last year no person has been provided for said service, and it is necessary that the court-room should be kept in proper order, for the facilitating of business commenced with the office; the large amount of fines collected in this office will suffice for the small expense and cleanliness asked for; they therefore present a resolution authorizing the Recorder to employ a suitable person to perform said duty; also one, authorizing the Recorder to procure such articles as may be requisite for his office.

6th. Upon the resolution appropriating the Market, situated between the Meat and Vegetable Markets, Second District, for a Fruit Market; your committee report in favor of adopting, as they believe it will be the means of clearing the ends of the main markets from obstructions, by giving full and free access, as well as a proper ventilation of the markets.

7th. Upon the resolution of the Honorable the Board of Aldermen, relative to constructing chains across New street, at the upper end of Poydras Market; your committee report in favor of concurrence.

8th. On the resolution prohibiting the sale of oysters on the levee, between the Beef and Vegetable Markets, Second District, in favor of adopting.

9th. Upon the petition of sundry persons of the Third District, asking that certain limits be described in which goats may be allowed to run at large; your committee report a resolution for your adoption designating said limits.

Respectfully submitted,
HENRY GUYOL,
C. BANISTER,
T. A. BARTLETTE,
J. L. FABRE.

The following resolutions, accompanying the above report, were read, the rules being suspended, and unanimously adopted:

Resolved, That the Street Commissioner be requested not to arrest, or cause to be arrested, any goats that may be found running at large below the west side of Claiborne street, First, Second, Third and Fourth Districts, and Clara street, First District.

Resolved, That permission be and the same is hereby granted to Geo. Gowan to erect a small steam engine on his property on South Market street, the same to remain during the pleasure of the Common Council.

Resolved, That permission be and the same is hereby given to F. A. Goltwald to establish a brewery on his property, situated corner of St. Philip and Dauphine streets; provided the same shall be in accordance with all the ordinances now in force concerning the same, said establishment to remain during the pleasure of the Common Council.

The following resolution, accompanying the same report, was read, the rules being suspended, and adopted by the following vote:

Yeas—Messrs. Tracy, Banister, Barbarin, Bartlette, Benit, Chambers, Chiapella, Eager, Giffen, Guyol, Howell, Landry, Rusha, Stith, Thayer and Violett—16.

Resolved, That the Recorder of the First District be and he is hereby authorized to appoint a suitable person to clean and keep in order his office, provided the same shall not exceed twenty dollars per month.

The following resolution, accompanying the same report, was read, the rules being suspended:

Resolved, That the Recorder of the First District be and he is hereby authorized to procure such articles as may be necessary for the use of his office, provided the same shall not cost over one hundred and fifty dollars; and the Comptroller be, and he is hereby authorized to warrant on the Treasury for such bills as may be properly approved by the Recorder, to said amount.

The following resolution, originating in the Board of Aldermen and referred to in the above report, was read, the rules being suspended, and unanimously concurred in, as recommended in said report:

A resolution requesting the Street Commissioner to have chains extended across Penn street during the hours of market.

The following resolutions, referred to in the above report, was read, the rules being suspended, and unanimously adopted, as recommended in said report:

A resolution prohibiting the sale of oysters on the levee, between the Beef and Vegetable Markets, Second District, as also on any of the levees or wharves of the city.

A resolution alloting the space between the Beef and Vegetable markets, Second District, exclusively for the sale of fruit, and prohibiting the sale of fruit in any of the markets of the Second District.

Mr. Thayer offered the following resolution, which was read, the rules being suspended, and adopted unanimously:

Resolved, That the joint committee appointed to employ experts for the examination of the Treasurer's books, etc., be and are hereby requested to report to this Council, the progress being made by the said experts, and at what time the examination will probably be finished.

WORK-HOUSE AND PRISONS.

Mr. Rusha, on behalf of the above committee, offered the following report, which was read and adopted, and the resolutions accompanying the same being read, were on motion laid over till the next meeting:

The Committee on Work-house and Prisons beg leave to report upon the management of the City Work-house of the city, as follows: The duties which should be promptly and properly performed are not in accordance with the ordinances governing the same. The Deputy Wardens of the institution your committee are reluctantly compelled to report as not attentive to their several duties. There have been numerous times when the yard of the Prison has been left without a proper protection for the safety of the prisoners confined therein. Your committee have also been credibly informed, that through the negligence and disobedience of some one of the Under Wardens of the Prison, one of the prisoners (a negro) who had been committed for twelve months, had escaped, and no return has ever been made of his name. Your committee also report, that the Under Wardens are frequently absent from their duties, and no deduction is or ever has been made from their wages during said absence. Your committee recognize the officers attached to the Work-house as being upon the same footing as the policemen of the city, and subject to the same rules and regulations.

Your committee also regret to report that the Chief Warden, or Captain, is not at his post promptly at his post as he should be. His absence allows too much liberty, not only to the Under Wardens, but to the safety and good government of the prisoners, the cause of which has a tendency to cause revolt and disobedience to his orders. They present a resolution requiring any Warden or officer who may ask leave of absence to procure the same from the Chief Warden of the City Work-house; and if not reported upon duty each and every day, the pay to be deducted from the amount of said officer's salary—said reduction to be made from the monthly pay-roll of officers.

Your committee also beg leave to report, that they have examined the bills, accounts and vouchers for the City Work-house for the three months of September, and find the same correct. A resolution is before them presented appropriating the amount to pay said bills.

Upon the petition of J. Waterman & Bro., asking payment of sundry bills for the Insane Asylum, your committee beg to refer the same to the Committee on Finance.

On the petition of M. Holz, asking payment of bill for articles furnished the Third District Lock-up, the same is referred to the Committee on Finance. They also refer the following accounts to the same committee:

Of G. Bleakley, for repairs done to the Black Maria in August last.

Of Geo. Muller, for attending a sick horse for the Black Maria.

Of Priestley & Bien, for sundries furnished the Black and Red Maria.

Of P. Brannigan, for lance-shoeing, etc.

Of Baptiste Marcera, for sundries furnished Second District Police Station.

All of which is respectfully submitted.

E. M. RUSHA,
C. W. BUTLER,
WEBSTER LONG,
HANSON KELLY.

Resolved, That the sum of seventeen hundred and ninety-three 60-100 dollars be and the same is hereby appropriated for the payment of the bills of the city Work-house, for provisions and materials furnished the same for the month of September, 1855, and that the Comptroller warrant on the Treasurer for said amount.

Resolved, That any officer absenting himself from his post, in the employ of the City Work-House, without leave of the Chief Warden, shall lose the amount of his or their salary during said absence, except in cases of sickness, and it shall be the duty of the Clerk of the City Work-House to report the same to the committee on Work-House and Prisons, whenever the same may occur.

IMPROVEMENTS AND BUILDINGS.

Mr. Benit, on behalf of the above committee, offered the following report, which was read and adopted; and the resolution accompanying the same being read, was laid over till the next meeting:

The Committee on Improvements and Buildings present the following report upon the report of the City Surveyor in accordance with a resolution of this Board, for an estimate of the cost of repairs to the building occupied by Fire Company No. 8, and belonging to Mr. J. B. Lamothe, for which the city is liable. Your committee present a resolution authorizing the Comptroller to sell the contract for said repairs.

Respectfully submitted,
VICTOR BENIT,
WM. H. BARBARIN,
E. M. RUSHA,
ISAAC THAYER.

Resolved, That the Comptroller sell, after ten days notice, to the lowest bidder, the contract for the repairing the house lately occupied by Fire Company No. 8, leased by the city from Mr. J. B. Lamothe, agreeably to specifications on file in the Surveyor's office; said sale subject to the approval of the Common Council.

Mr. Bartlette offered the following resolution, which was read, the rules being suspended, and unanimously adopted:

Resolved, That the City Attorney be, and he is hereby authorized to take the necessary proceedings to bring the case of J. B. G. Arnault vs. the City of New Orleans, before the Supreme Court of the United States, in order to obtain, if possible, a reversal of the judgment rendered therein by the State Courts, if in his opinion there be any grounds therefor.

Mr. Bartlette offered the following resolutions, which were read, and on motion, laid over till the next meeting:

Resolved, That the Board of Commissioners of the Consolidated Debt of New Orleans be, and they are hereby requested to report to the Common Council their action under the ordinance No. 1759.

Resolved, That ordinance No. 1759, approved July 27, 1853, be, and the same is hereby repealed.

Mr. Rusha offered the following resolution, which was read, and on motion, laid over till the next meeting:

Resolved, That Robert Armfield, Commissary of St Mary's Market, be authorized to act as Commissary of the Vegetable Fruit Market, situated at the junction of Annunciation and Tchoupitoulas streets.

Resolved further, That his salary be increased from sixty dollars to seventy dollars per month, the same commencing from the first day of January, 1856.

On motion, the Board adjourned until Tuesday next, the 11th of December, 1855, at 6 o'clock, P. M.

JAMES A. HOPKINS, Secretary.

MAYORALTY OF NEW ORLEANS.

COMMON COUNCIL,
City of New Orleans, December 3, 1855.

[No. 2492.]

AN ORDINANCE concerning the Fire Department.

SECTION 1 *Be it* ordained by the Common Council of the city of New Orleans, That the Fire Department shall consist of one Chief Engineer, two Assistant Engineers and one Captain, and one Lieutenant for each organized company; thirteen Engine Companies, of fifteen men each; one Steam Fire Engine Company, to be composed of one engineer, two drivers, one fireman, and eight hose pipe men—one Hose Company for Fire Engine Young America of ten men, and of two bell-ringers.

Sec. 2. That each Engine Company shall be provided with one Engine, one Hose Carriage, five hundred feet of hose of the first quality, and two horses, with the requisite harness complete; the same to be kept at all times in good order, and ready for service.

Sec. 3. That each Hook and Ladder Company shall be provided with one Hook and Ladder Carriage, in full set of Hooks and Ladders, and one horse, with the requisite harness complete; the same to be kept at all times in good order and ready for service.

Sec. 4. That the Steam Fire Engine Company shall be provided with one Steam Fire Engine, one Hose Carriage and Wagon, three hundred feet of two inch hose of the first quality, and two horses, with the requisite harness complete; the same to be kept at all times in good order and ready for service.

Sec. 5. That the Hose Company for the Steam Fire Engine shall be provided with two Hose Carriages, six hundred feet of good first quality India Rubber three-inch hose and eight hundred feet of first quality two-inch hose, and two horses, with the requisite harness complete; the same to be kept at all times in good order and ready for service.

SEC. 6. That each Chief Engineer, Assistant Engineers, Captains and Lieutenants of Companies, shall have police powers at all fires.

Sec. 7. That each Engineer, Captain and Lieutenant shall upon his appointment, receive a warrant or certificate, in the following words, viz: This certifies that ——— is appointed Chief Engineer, Assistant Engineer, Captain or Lieutenant of the Fire Department of the City of New Orleans, and is entitled to all the rights and privileges belonging to said office, to be signed by the Mayor of the City of New Orleans.

Sec. 8. That the Captains shall have the command of the men and apparatus belonging to their respective companies, and accounts of all property belonging to the Department shall be kept in the care of the several members of their respective companies, and of all absences and tardiness among the same, in a book provided for that purpose; which rolls or record books are always to be subject to the order of the Fire Commissioners of the Common Council. They shall also make to the Chief Engineer true returns of all the members of the several companies, with their ages and the apparatus entrusted to their care, when called upon by said Engineer so to do.

Sec. 9. That the Captains and Lieutenants of each Hook and Ladder Company shall be selected and appointed from among the fifteen men composing said company, and shall be stationed at the house of said company, and shall be constantly on duty. At an alarm of fire, said Captain and Lieutenant shall attach the horse to and start the hook and ladder carriage for the scene of the fire; they shall also keep the hook and ladder apparatus and the carriage in good order, the house in a clean condition, and take full and proper care of the horses attached to the same.

SEC. 10. That the Captain and Lieutenant of the Hose Company for the Steam Fire Engine shall be selected and appointed from among the ten men composing said company; and shall be stationed at the house of said company, and shall be constantly on duty. At an alarm of fire, said Captain and Lieutenant shall attach the horse to and start the hose carriage for the scene of the fire; they shall also keep the hose carriages and hose in good order, the house in a cleanly condition, and take full and proper care of the horses attached to the same.

SEC. 11. That the Chief Engineer shall have the sole command at fires over all members of the Fire Department, and all other persons who may be present at fires; and shall take all proper measures for the extinguishment of fires, protection of property, preservation of order, and observance of the laws, ordinances and regulations; he may, if he deem it expedient, and shall be the duty of said Chief Engineer to examine into the condition of the engines, and of all other fire apparatus, and of the engine and other houses belonging to the city and used for the purposes of the Fire Department, as often as occasion may require, and report the same, whenever directed so to do by the Committees on Fire of the Common Council, and semi-annually to report the same to said committees; also to cause a full description of the same, together with the names of the officers and members of the Fire Department, to be published annually, in such manner as the said committees shall direct; and it shall be, moreover, the duty of the Chief Engineer to receive and transmit to said committees all alarms of fire, and to keep all fire apparatus, belonging to the respective companies, as hereafter prescribed, and all other communications relating to the affairs of the Fire Department, and to keep fair and exact rolls of the respective companies, specifying the time of admission and discharge, and the age of each member, which he shall report to said committees; and he shall also report to said committees all accidents by fire which may happen within the city, with the causes thereof, and the number and description of the buildings destroyed, together with the names of the owners and occupants, and an estimate of losses by the same.

SEC. 12. No person under eighteen years of age shall be employed as a member of the Fire Department of the city of New Orleans.

SEC. 13. That the Captain and Lieutenant of each Engine Company shall be selected and appointed from among the twenty men composing said company; and shall be stationed at the engine-house of said company, and shall be constantly on duty. At an alarm of fire, said Captain and Lieutenant shall attach the horses to and start the engine and the hose carriage belonging to the same for the scene of the fire; they shall also keep the engine, hose, etc., in good working order, the house in a cleanly condition, and take full and proper care of the horses attached to the same.

SEC. 14. That it shall be the duty of the Captains to see that the several Engines and apparatus committed to their care, and the several buildings in which the same are deposited, and all things in and belonging to the same, are kept neat and clean, and in order for immediate use. It shall also be their duty to preserve order and discipline at all times in their respective companies, and require and enforce a strict compliance with the city ordinances, the rules and regulations of the Department, and the orders and instructions of their officers. They shall also keep fair and exact rolls, specifying the time of admission, discharge and age of each member of their respective companies, and accounts of all property belonging to the Department entrusted to the care of the several members of their respective companies, and of all absences and tardiness among the same, in a book provided for that purpose; which rolls or record books are always to be subject to the order of the Fire Commissioners of the Common Council. They shall also make to the Chief Engineer true returns of all the members of the several companies, with their ages and the apparatus entrusted to their care, when called upon by said Engineer so to do.

SEC. 15. That the Captains and Lieutenants of each Hook and Ladder Company shall be selected and appointed from among the fifteen men composing said company, and shall be stationed at the house of said company, and shall be constantly on duty. At an alarm of fire, said Captain and Lieutenant shall attach the horse to and start the hook and ladder carriage for the scene of the fire; they shall also keep the hook and ladder apparatus and the carriage in good order, the house in a cleanly condition, and take full and proper care of the horses attached to the same.

SEC. 16. That the Captain and Lieutenant of the Hose Company for the Steam Fire Engine shall be selected and appointed from among the ten men composing said company; and shall be stationed at the house of said company, and shall be constantly on duty. At an alarm of fire, said Captain and Lieutenant shall attach the horses to and start the hose carriages for the scene of the fire; they shall also keep the hose carriages and hose in good order, the house in a cleanly condition, and take full and proper care of the horses attached to the same.

SEC. 17. That the Captain and Lieutenant of the Steam Fire Engine Company shall be selected and appointed from among the eight hose pipe men of said company. That the two drivers of said company shall be stationed at the house of said company, and shall be constantly on duty. At an alarm of fire said drivers shall attach the horses to and start the steam fire engine and hose carriage and fuel wagon for the scene of the fire; they shall also keep the hose carriage, fuel wagon and hose in good order, the house in a cleanly condition, and take full and proper care of the horses attached to the same.

SEC. 18. That the Engineer of the Steam Fire Engine shall be stationed at the house of said engine, shall be always on duty, and shall keep said engine in good order and ready for service.

SEC. 19. The engineers and members of the several companies connected with the Fire Department shall wear such caps, badges, or insignia as the Chief Engineer shall direct, and no other person shall be permitted to wear the same.

SEC. 20. That no company shall have power to appoint or discharge any officer or member thereof, or shall leave the city on an excursion, or appear in the streets as firemen, on occasions of alarms of fire, unless by express permission of the Chief Engineer.

SEC. 21. That the Chief and Assistant Engineers shall have the right to examine, personally, all houses erected, or at any time being erected, in which fire is used, or intended to be used; with full power to cause such alterations and improvements in flues, stove-pipes, etc., in the same, and such alteration in the location of fires in carpenter shops, and other equally hazardous occupations, as may be necessary for the public safety.

SEC. 22. That four Engine Companies and one Hook and Ladder Company shall be located in the First District; four Engine Companies and one Hook and Ladder Company shall be located in the Second District; three Engine Companies and one Hook and Ladder Company shall be located in the Third District; and two Engine Companies and one Hook and Ladder Company shall be located in the Fourth District, and that the same shall be stationed at such places and occupy such houses in said districts, respectively, as the Fire Committees of the Common Council shall determine.

SEC. 23. That the Steam Fire Engine Company, the Hose Company for the Steam Fire Engine, and the Bell-ringers, shall be stationed at such places, and occupy such houses in the city of New Orleans as the Fire Committees of the Common Council shall determine, and that said Bell-ringers shall be always on duty day and night.

SEC. 24. That the Chief Engineer, Assistant Engineers, Captains, Lieutenants, and members of the several Engine, Hook and Ladder and Hose Companies, shall be appointed as hereinafter provided.

SEC. 25. That the Chief Engineer, Assistant Engineers, Captains, Lieutenants and members of the several Engine, Hook and Ladder and Hose Companies, shall be subject to removal from office, or membership, as hereinafter provided.

SEC. 26. That it shall be the duty of the Chief Engineer and Assistant Engineers, Captains and Lieutenants, before entering upon the duties of their several offices, to be qualified by the Mayor, either by oath or affirmation, that they will faithfully perform, to the best of their abilities, all the duties appertaining to the same.

SEC. 27. That the Chief Engineer, before entering upon the duties of his office, shall give bond in the sum of twenty-five hundred dollars, made payable to the Mayor of New Orleans and his successors in office, conditioned for the faithful performance of the duties thereof.

SEC. 28. That each Assistant Engineer, before entering upon the duties of his office, shall give bond in the sum of twenty-five hundred dollars, made payable to the Mayor of New Orleans and his successors in office, conditioned for the faithful performance of the duties thereof.

SEC. 29. That no association, or organized society or club of firemen shall be allowed, except as authorized by this ordinance.

SEC. 30. That the support of the Fire Department as herein constituted, and the active working of the same, shall be done by contract, for the term of five years from the day of the date of the adjudication of the same.

SEC. 31. That the Comptroller of the city of New Orleans shall, after five days' publication thereof in the Official Journal, sell at auction to the lowest bidder, the contract for the support of the Fire Department, as constituted by this ordinance, and the active working of the same for five years by year for the term of five years from the day of the date of the adjudication of the same.

SEC. 32 That the purchaser of the contract for the support of the Fire Department, and the active working thereof, at the sale made in accordance with sections 30 and 31 of this ordinance, shall have power to dismiss any officer and member of the Fire Department, and to appoint in their stead any other place or places than those designated by the Street Commissioner, any dirt, dust, vegetable or animal matter whatever, or other substance, under a penalty of fifty dollars for each contravention.

The contractors shall be bound to carry away all the offals put out of the markets by the farmers thereof, in accordance with existing ordinances.

The contractors shall be bound, in all streets through which the water is or shall be conveyed by the Commercial Water Works Company, to cause all the gutters to be thoroughly cleaned and washed every day before 10 o'clock A. M., in the following manner, to wit: He shall first cause to be scraped out of said gutters, with hoes or scrapers, all dirt or filth of whatsoever nature it may be found or found in said gutters, and put the same in piles on the side the road, and cause the same to be removed and hauled away the same day in carts to such places as are designated to him by the Street Commissioner, and immediately after having scraped out said gutters, the contractor shall then cause the water to be let in said gutters by opening the fire-plugs, always using a piece of hose for each fire-plug so opened, in such manner as to conduct the water into the said gutters, so as to prevent unnecessary waste of water upon the traveled portion of the street, and while the water is thus running in said gutters, he shall cause them to be swept or cleaned with brooms, excepting on days when there is sufficient rain water passing through the gutters for the purposes required.

The contractors shall be bound to cut and remove all the grass and weeds, and other vegetable substances found growing on the sidewalks or in the ditches of the streets, and shall also keep said ditches dug and cleaned to their original depth.

The contractors shall be bound to fill up with hard rubbish, river sand, gravel or shells, when the same shall be necessary, all holes, ruts, cart and carriage tracks, and all other defects in streets, alleys, lanes, roads and public ways within the limits of the respective contracts, immediately on their first appearance and shall keep and preserve the grade of said paved streets, alleys, lanes, roads and public ways in a regular curved form, and the surface free from smooth, so as to know the water in the gutters and shoice-ways on both sides.

The contractors shall be bound for the efficient accomplishment of the work aforesaid, to keep and employ a competent and sufficient number of hands and workmen. The carts employed shall be constructed and kept in such a manner as that none of the substances and matters put and conveyed therein should be spilled or run through and be scattered out, and shall be furnished with plates as required by Ordinance 1,654, approved November 3, 1854.

The contractors shall be bound to replace all bolts and rivets that may be wanted after the same shall have once been supplied by the contractors for repairing and building wooden bridges.

The contractors shall comply immediately with all verbal or written orders from the Street Commissioner or his deputy, to do the work to be done by them, and in default by them so to do, they shall be liable to a fine of five dollars for each neglect, to be deducted from the monthly payments without recourse to any court; and it shall be the duty of the Street Commissioner to report the neglect of these contractors, if men and buy the materials, at whatever cost he may be able to obtain them, and to have the work done at the expense of the contractors and of their securities. The amount of the hire, the wages of the men and cost of the materials, to be deducted out of any of the monthly payments to be made to said contractors.

In case of any neglect on the part of the contractors, the Council reserves the right to declare the contracts ipso facto, to be null and void, and to proceed in the following times, to wit: the Camp street Canal in forty days; the Melpomene Canal in ninety days; the Canal street Canal in ninety days, and the Claiborne street ditch in twenty days—otherwise they shall be liable to a fine of $100 per day for each and every day thereafter it is not completed.

Securities shall be required as follows, to wit: in the sum of $500 from the contractor for Camp street Canal; in the sum of $2000 from the contractor for Melpomene Canal; in the sum of $2500 from the contractor for Canal street Canal, and in the sum of $100 from the contractor for the Claiborne street ditch.

In case of neglect on the part of any of the contractors to comply strictly with the foregoing specifications, the