OFFICIAL JOURNAL.

THE COMMON COUNCIL.

BOARD OF ALDERMEN.

TUESDAY, December 18, 1855.

The Board met this day pursuant to adjournment.

Members present—Messrs. Bailey, Durell, Denegre, Culbertson, Dupre, Gillmore, Converse, Pride, Price and Tompkins—10.

Mr. Culbertson was called to the chair.

The reading of the minutes was, on motion, dispensed with.

The following message was read:

MAYORALTY OF NEW ORLEANS,
CITY HALL, Dec. 12, 1855.

To the President and Members of the Board of Aldermen:

Gentlemen—I have received for approval an ordinance originating in your body, having for object the farming or leasing of the City Work-House for the space of three years.

I cannot approve the ordinance for various reasons, some of which I will state:

Whatever difference of opinion may exist as to the right of the Council to make such certain branches of the city revenue, on calm reflection, I apprehend there can be no two opinions as to the right of leasing out an institution, which, from its nature, was never intended as a source of revenue, being solely of a primitive character, and intended, by example and punishment, to restrain the vicious and indolent, and deter others from becoming objects of punishment. Such institutions, created for wholesome purposes, could not have been expected to be made sources of profit and revenue to the public.

The fourth article of the ordinance, which I shall quote, reads as follows:

"The labor of the prisoners shall be for the benefit of the lessee, and the lessee may be employed in any mechanical or other labor, at the option of the lessee, provided it shall not be of a nature injurious to the health of the prisoners, or dangerous to their security."

By this article, the prisoner who has committed no other offence than being a vagrant, drunkard or dangerous or suspicious character, in many cases made to appear so by interested or vindictive messmen on the part of his accuser, is made a bondsman of, his services adjudged to a stranger to the body politic, an irresponsible party, without even having undergone the necessary legal formalities for depriving him of his social status.

Such a bartering away of the liberty and industry of a freeman, can certainly not be sustained by law or precedent, in this country, at all events.

Supposing, however, that it be legal, what might be the consequences which could fairly be considered to flow therefrom, if, unfortunately, it should happen that the lessee should be devoid of some of the natural feelings of humanity, and should enter upon his business with his mind engrossed by the mere contemplation of dollars and cents? Might he not, under that stimulus and the terms of his lease, enter into open competition with honest and upright industry beyond the walls of the Work-House? It strikes me, there being no stipulations to the contrary, he might easily do so without being legally or technically considered as violating his contract.

Again, who is to supervise the lessee in the faithful and just performance of his contract? The fifth article certainly provides that "the Committee of the Common Council on Work-House and Prisons shall at all times have free access to the premises, and shall have the power to enforce all the existing regulations in relation thereto."

But, even with this clause, the only one which I find in the ordinance, is that sufficient? No doubt the committee of the present Common Council, for the sake in closely following up this supervision, and taking a just pride in so doing, may so conduct matters as to cause them to proceed properly and smoothly for the present, but who can answer for those who may come after you? Will they take upon themselves the same trouble and annoyance? We all have had more or less experience in such matters, and it is reasonable to predict that they will not. Moreover, it may happen that prudent and absolutely necessary, at any term of three years, to alter, amend or abolish some or many of the regulations now existing. No reservation on this point has been made.

By article 7th, "the present officers and employees are continued in office until their terms expire, or they be discharged for cause, the subsequent ones to be appointed by the lessee." I apprehend that this provision is clearly illegal. The direction, control and management of the sworn and commissioned officers of the city cannot be placed in the hands of a private individual without any public authority. Besides, the amendments to the City Charter, passed in 1853, provide how such appointments are to be made.

Some of the foregoing objections, perhaps, may be considered technical; but the real and substantial objection to this proceeding, which to my mind is insuperable, and must prevail, is that of unconstitutionality.

The power to establish and regulate work-houses and prisons, which is a sovereign power, has been delegated by the Legislature to the city authorities, as part and parcel of the government—this power is to be used and enforced according to law, by the party to which, for wise, just and humane purposes of public policy and morality, it has been enjoined upon; and this power or sovereign attribute, I earnestly contend, cannot and must not be delegated to a third party.

In support of this position, I take the liberty of quoting the following paragraph from a very able veto message of the present Governor of Louisiana to the last Legislature against the project of farming out the State Penitentiary, which veto was acquiesced in, and the Penitentiary placed in the hands and under the control of the State, where it should ever remain.

Governor Hebert observes:

"It is too late to open, either by word or deed, the discussion of the great moral and social maxims which have, during the century in which we live, been slowly but perceptibly moulding into new forms, and directing to nobler and more benevolent aims the criminal legislation of the civilized states of the world. Derived from the purest and most august sources, they have received the commendation of the philosopher, the enthusiastic practical support of the philanthropist, and the sanction of the legislator. They have come down to our generation impressed with the seal of human and divine authority, as the common law of mankind.

"These maxims impose society, in view of its own interests and in the name of a common humanity, the duty of punishing the offender, with justice and discrimination, and the task of reforming and reclaiming him.

"The enlightened discharge of that duty—the conscientious performance of that task—involve the consideration of delicate and difficult questions of penal legislation and prison discipline, the solution and proper treatment of which have always been held to be sovereign, and cannot, with safety to the prisoner and with honor to the State, be delegated to private individuals."

If, therefore, this doctrine is correct, and that the State has not the right to delegate this power to a private individual, the right of the City Council, which is but a creature of the law, to do the same thing, must certainly be denied.

Respectfully submitted,

JOHN L. LEWIS, Mayor.

A motion to persist in the adoption of the ordinance to provide for the sale of the lease of the City Work-house," notwithstanding the veto of the Mayor, was carried by the following vote:

Yeas—Messrs. Bailey, Culbertson, Denegre, Dupre, Gillmore, Converse, Price, Pride and Tompkins—9.

On motion, the Assistant Board of Aldermen was informed by a message of the action of the Board of Aldermen on the foregoing ordinance.

The following messages were read:

BOARD OF ASSISTANT ALDERMEN,
New Orleans, Dec. 12th, 1855.

To the President and Members of the Board of Aldermen:

Gentlemen: I have the honor to inform you that the following resolutions, adopted by your honorable body, were concurred in by this Board:

A resolution to pay Jas. H. Wingfield $245, balance due on four horses purchased for the use of the steam fire engine Young America.

A resolution appointing a joint committee in conjunction with the Surveyor, to confer with Mr. Cummings, the Engineer of the N. O. Canal and Navigation Company, in regard to the removal and reconstruction of the bridges across Canal Carondelet.

The amendment of your honorable body to the following resolution was concurred in:

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

Very respectfully,

JAMES A. HOPKINS, Secretary.

BOARD OF ASSISTANT ALDERMEN,
New Orleans, Dec. 17, 1855.

To the President and Members of the Board of Aldermen:

Gentlemen—I have the honor to inform you that the following resolution, adopted by your honorable body, was concurred in by this Board:

A resolution approving of the adjudication made by the Comptroller to the Firemen's Charitable Association, and accepting their securities.

Your concurrence is respectfully solicited in the following resolution:

A resolution appointing a joint committee to make arrangements for and superintend the repairs of the various engine houses.

Messrs. Gillen, Guyot and Howell were appointed on said committee on the part of this Board.

Respectfully,

JAMES A. HOPKINS, Secretary.

The following resolution, adopted by the Assistant Board, was read twice and concurred in, the rules being suspended:

A resolution appointing a joint committee to make arrangements for and to superintend the repairs of the various engine houses.

Messrs. Denegre, Pride and Bailey were appointed on the above joint committee.

The following message was read:

BOARD OF ASSISTANT ALDERMEN,
New Orleans Dec. 14, 1855.

To the President and Members of the Board of Aldermen:

Gentlemen—Your concurrence is respectfully requested in the following ordinances and resolutions adopted by this Board:

An ordinance empowering the Wharfinger to order off from the wood-work of the wharves all idle vehicles.

An ordinance preventing the deposit of nuisances of all kinds in any part of the city than the nuisance wharf.

A resolution amending resolution No. 2412.

A resolution authorizing the Commissary of St. Mary's Market to act as Commissary of the Vegetable and Fruit Market, corner of Annunciation and Tchoupitoulas streets, and increasing his salary.

A resolution appropriating $1,793 86-100 for bills of the city Work-house for Sept. 1855.

A resolution in regard to the duties of the officers of the city Work-house.

A resolution repealing resolution No. 1371.

A resolution requesting the Surveyor to lay a gutter-vale crossing at the corner of Common and Claiborne streets to Chara street.

A resolution approving the adjudication made to Thomas Hennessy for cleaning the Camp street Canal.

A resolution approving the adjudication made to Patrick Flynn for cleaning Melpomene, Canal street and Claiborne street canals.

A preamble and resolution authorizing the Street Commissioner to ditch and grade the Gentilly Road from Laharpe street to the Pontchartrain Railroad.

A preamble and resolution authorizing the Street Commissioner to have or cause to be cleaned the ditch or canal in the center of St. Anthony Avenue.

A resolution to pay sundry pensions.

A resolution authorizing the Comptroller to warrant on the Treasurer, in favor of C. Connel, for $146 56-100.

A resolution authorizing the Comptroller to sell at auction the contract for furnishing materials and running the draining machine of the First and Fourth Districts. Respectfully,

JAMES A. HOPKINS, Secretary.

The following resolutions, adopted by the Assistant Board, were read twice and concurred in, the rules being suspended:

A resolution amending resolution No. 2412.

A resolution authorizing the Commissary of the St. Mary's Market to act as Commissary of the Vegetable and Fruit Market, corner of Annunciation and Tchoupitoulas streets, and increasing his salary.

Yeas—Messrs. Bailey, Durell, Denegre, Dupre, Gillmore, Converse, Pride, Price and Tompkins—9.

A resolution appropriating $1,793 86-100 for bills of the city Work-house for Sept. 1855.

Yeas—Messrs. Bailey, Durell, Denegre, Dupre, Gillmore, Converse, Pride, Price and Tompkins—9.

A resolution in regard to the duties of the officers of the city Work-house.

A resolution approving the adjudication made to Thomas Hennessy for cleaning the Camp street Canal.

Yeas—Messrs. Bailey, Durell, Denegre, Dupre, Gillmore, Converse, Pride, Price and Tompkins—9.

A resolution approving the adjudication made to Patrick Flynn for cleaning Melpomene, Canal street and Claiborne Canals.

Yeas—Messrs. Bailey, Durell, Denegre, Dupre, Gillmore, Converse, Pride, Price and Tompkins.—9.

A preamble and resolution authorizing the Street Commissioner to ditch and grade the Gentilly Road from Laharpe street to the Pontchartrain Railroad.

A resolution to pay sundry pensions, (adopted Dec. 11th 1855.)

Yeas—Messrs. Bailey, Durell, Denegre, Dupre, Gillmore, Converse, Pride, Price and Tompkins—9.

A resolution authorizing the Comptroller to warrant on the Treasurer in favor of C. Connel for $146 56-100.

Yeas—Messrs. Bailey, Durell, Denegre, Dupre, Gillmore, Converse, Pride, Price and Tompkins—9.

A resolution authorizing the Comptroller to sell at auction the contract for furnishing materials and running the draining machine of the First and Fourth Districts.

Yeas—Messrs. Bailey, Durell, Denegre, Dupre, Gillmore, Converse, Pride, Price and Tompkins—9.

The following ordinance and resolution, adopted by the Assistant Board, were referred to the Committee on Streets and Landings:

An ordinance empowering the Wharfingers to order off from the wooden work of the wharves all idle vehicles.

A resolution requesting the Surveyor to lay a gutter-vale crossing at the corner of Common and Claiborne streets to Chara street.

The following resolution, adopted by the Assistant Board, was referred to the Judiciary Committee:

A resolution repealing resolution No. 1371.

The following preamble and resolution, adopted by the Assistant Board, were read twice and concurred in, the rules being suspended:

A preamble and resolution authorizing the Street Commissioner to have or cause to be cleaned the ditch or canal in the centre of St. Anthony avenue.

An ordinance preventing the deposit of nuisances of all kinds in any part of the city except the nuisance wharf, was read twice and concurred in the rules being suspended, after having been amended by inserting in the resolution the words "nuisance wharves" in lieu of the words "nuisance wharf."

PETITIONS, ETC.

A petition of George Blenkely, praying for the payment of his bill for work done to the engine of Red Rover Company No. 16, was referred to the Fire Committee.

A bill due by the city to Eagle Fire Company No. 7, was referred to the Finance Committee.

A petition of R. E. Schlusius, relative to his claim against the city, was referred to the Finance Committee.

The following petition was laid on the table:

Of Pedro Estimeon, praying the Council to grant him the privilege, for the sum of one thousand dollars, to sell oysters between the two markets, Second District.

RESOLUTIONS, ETC.

Mr. Gillmore offered the following resolution, which was referred to the Judiciary Committee:

Resolved, That the City Council do hereby give, after twenty days notice in the official journal, to the lowest bidder, a contract for the paving of Prytania street, from Felicity street to the upper limits of the city, with square block granite. The work to be performed in accordance with the specifications on file in the Surveyor's department, and the entire cost of the work to be at the expense of the front proprietors, the payments to be made by them as follows: One third on the completion of the work, the residue in equal installments at three and six months' credit from the date of the completion of this work, the contractor to have no recourse upon the city in case of failure to collect from the front proprietors.

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

Resolved, That when this Board adjourn it adjourns to meet at 6 o'clock, P. M., on Saturday next, and then on every Friday and Saturday of each week thereafter, to take action on the code of ordinances drawn up under the supervision of the joint committee on the revision and codification of the general ordinances in force and governing the city of New Orleans, and that no other business shall be transacted on those evenings.

The following resolution, offered by Mr. Denegre, was referred to the Fire Committee:

Resolved, That a committee of three members of this Board, be appointed to act in conjunction with a similar committee of the Board of Aldermen, to devise and report a system of fire alarms for the city.

Mr. Gillmore offered the following resolution, which was read twice and adopted, the rules being suspended.

Resolved, That a special committee of three members of this Board be appointed to confer with the Directors of the New Orleans and Carrollton Railroad Company in relation to granting said company the right to run their horse cars on Jackson street, from Noyades to Tchoupitoulas.

Messrs. Gillmore, Converse and Pride were appointed on said committe.

The following resolution, offered by Mr. Gillmore, was read twice and adopted—the rules being suspended:

Resolved, That the Judiciary Committee of this Board be requested to confer with the heirs of Gormley, and see upon what terms an abandonment will be made by them of the reserves on Felicity and St. Andrew streets.

The following resolution, offered by Mr. Gillmore, was referred to a special committee consisting of Messrs. Durell, Gillmore and Culbertson:

Resolved, That the Surveyor be, and he is hereby authorized, to cause to be repaired the plank roads of this city, under the direction and supervision of the Streets and Landings Committee.

Mr. Durell moved that the preamble and resolution authorizing the Street Commissioner to cause to be cleaned by the Cham-Gang, the ditch, or canal, in the centre of St. Anthony avenue, be taken out of the hands of Alderman Culbertson to whom the same had been referred—Carried.

The foregoing preamble and resolutions were then read a second time and concurred in—the rules being suspended.

Mr. Bailey, on behalf of the Finance Committee, offered the following report, which was adopted:

The Committee on Finance, to whom was referred a resolution authorizing the Recorder of First District to purchase sundry articles for the use of his office, and authorizing the Comptroller to warrant on the Treasurer for the same,

A resolution to pay sundry persons, adopted by the Assistant Board November 27, 1855, was concurred in as recommended in the foregoing report, by the following vote:

Yeas—Messrs. Bailey, Durell, Denegre, Dupre, Gillmore, Converse, Pride, Price and Tompkins—9.

Mr. Peire took his seat.

Mr. Pride, on behalf of the Committee on Streets and Landings, offered the following report, which was adopted:

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

Your Committee recommend concurrence in the preamble and resolution of the honorable the Assistant Board requiring the Street Commissioner to have St. Anthony Canal fished 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.

Your Committee have the honor to report that a conference was had, in accordance with reference, with the Committee of Streets and Landings of the honorable the Assistant Board, on a resolution authorizing the Surveyor to have the bridge at Carrollton Avenue repaired. Said resolution was rejected by your honorable body, on the ground that the contract for attending and keeping in repair said bridge was sold—it was not required to be done by the city—therefore, the said resolution is returned to the Assistant Board for reconsideration, recommending concurrence in the rejection of this Board. A substitute for the ordinance (in a modified form to make it more explicit), "Concerning the grades of the sidewalks of the city of New Orleans," also referred to said conference, is recommended to be adopted, as presented to the honorable the Assistant Board of Aldermen.

CHAS. PRIDE,
W. O. DENEGRE,
N. E. BAILEY.

The following preamble and resolution were concurred in as recommended in the foregoing report:

A preamble and resolution requiring the Street Commissioner to have St. Anthony Canal fished 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.

Mr. Denegre, on behalf of the Fire Committee, offered the following report, and the resolution mentioned in said report was, on motion, referred to the committee appointed to examine and report upon the repairs necessary to engine houses, etc:

NEW ORLEANS, Dec. 18, 1855.

The committee to whom was referred the resolution passed by the Assistant Board on the 7th December, 1855, authorizing the Comptroller to sell, after ten days notice, the contract for repairing the engine houses lately occupied by Fire Company No. 8, recommend concurrence.

W. O. DENEGRE, Chairman.
CHAS. PRIDE.

Mr. Durell, on behalf of the Judiciary Committee, offered the following report, which was adopted, and the resolution accompanying the same was read twice and adopted, the rules being suspended.

Yeas—Messrs Bailey, Durell, Dupre, Denegre, Gillmore, Converse, Peire, Pride, Price and Tompkins—10.

The Judiciary Committee, to whom was referred a communication from Bernard Marigny, Esq., offering to renounce, in favor of the city of New Orleans, all claims which he (the said Marigny) may have to certain parcels of ground situate in the Third District, and numbered upon Plan No. 1, accompanying the report of your committee, as Nos. 2, 3, 4, 5, 6, 7, 8, 9 and 10—the city paying the said Marigny therefor, the sum of fifteen hundred dollars, and also renouncing on its part, and in favor of said Marigny, all claim to a certain parcel of ground, situate in said District, and enclosed within lines marked a, b, c, d and e, upon Plan No. 2, accompanying this report, has leave to report:

That your committee find that said Marigny was formerly the proprietor of certain lands which embrace within their limits the faubourgs Marigny and New Faubourg Marigny; that in October, 1809, said Marigny projected the New Faubourg Marigny, and then dedicated to the public use for a street and viaduct, for the drainage of the adjacent property, the parcels of ground above enumerated; that said parcels of ground, at the time of their said dedication, were cut through the entire length of by a ditch 7 feet wide by 3 feet deep, made by said Marigny for purposes of drainage; that by lapse of time and the establishment of a more general system of drainage by the city, said ditch has gradually become filled up, and is now wholly abandoned, both by the city and by adjacent proprietors of lands; that new streets have been laid out and opened in the vicinity of said parcels of ground above enumerated, throwing the same into the centers of squares, and rendering the same wholely useless as a public highway; that the use of said parcels of ground as a street or public highway, or for the purposes of drainage, has been long and wholly abandoned both by the city and by the owners of property adjacent thereto; that the city has made safe, at public auction, of two of said parcels of ground, to-wit: parcels marked No. 6 and one marked No. 7 and has instituted a suit at law against the purchasers thereof, for the recovery thereof, and that the vendees of the city have called their vendor in warranty.

Now your committee, considering that land given for a certain public purpose ceases to be so when disused, and that when said use is abandoned by the public, or its representation, do recommend that the proposition made by said Marigny in his said communication, be accepted, and offer the requisite resolution.

EDW. H. DURELL,
JOHN CULBERTSON,
JESSE GILMORE.

Resolved, That the Comptroller be authorized to warrant upon the Treasurer in favor of Bernard Marigny for the sum of fifteen hundred dollars, whenever said Marigny shall produce to said Comptroller a certificate of the City Attorney, to the effect that said Marigny has, by act passed before the City Notary, renounced, transferred, sold, and made over to the city of New Orleans, all right, title and interest he, said Bernard Marigny may have in certain parcels of ground, numbered 2, 3, 4, 5, 6, 7, 8, 9 and 10, upon Plan No. 1, annexed to this resolution; and further, that the Mayor be authorized to transfer, on the part of the city of New Orleans, and in favor of said Marigny, all right, title and interest which said city of New Orleans may have in a certain parcel of ground, included within lines marked a, b, c, d and e, as shown upon Plan No. 2, annexed to said report; that said City Attorney shall deduct from said sum of fifteen hundred dollars to be paid to said Marigny under this resolution, whatever amount may be due by said Marigny to the city of New Orleans for taxes already collectable, or which may become collectable on the 1st day of May, 1856.

A motion to adjourn was lost by the following vote:

Yeas—Messrs. Culbertson, Denegre, Dupre and Price—4.

Nays—Messrs. Durell, Gillmore, Peire, Converse, Pride and Tompkins—6.

A preamble and resolutions relative to the closing of all grog shops, cabarets, beer houses, theaters, etc., on the Christian Sabbath, were taken up for their second reading.

Mr. Gillmore moved to amend by inserting in the said resolutions the words "and days of election." Adopted.

Mr. Tompkins moved to strike out of the preamble and first resolution the words "and theaters," and also to strike out the third resolution relative to the managers of theaters, amphitheaters, etc. Adopted.

The preamble and resolutions, in their amended form, were then adopted by the following vote:

Yeas—Messrs Bailey, Gillmore, Converse, Pride, Price and Tompkins—6.

Nays—Messrs. Culbertson, Durell, Denegre, Dupre and Peire—5.

Whereas, experience has shown that bar-rooms kept open on the Sabbath day and holidays lead to disorder and riotous conduct, and considering that the Common Council has the right and power to make such police regulations as will promote the public peace and safety, therefore,

Be it resolved, That from and after the first day of January, 1856, or from and after the expiration of all licenses now existing, all grog-shops, cabarets, beer houses and bar-rooms, shall be closed during the entire Sabbath day and during the night and days of election.

Be it resolved, That any keeper of a grog-shop, cabaret, beer house, bar-room, or drinking house or shop of any kind, where spirituous or vinous liquors or beer, are kept for sale by the glass or drink, who shall allow the same to be kept open on the Christian Sabbath, that is, from 12 o'clock Saturday night, to 12 o'clock Sunday night, and on days of election, or shall sell, or permit to be sold any spirituous or vinous liquors or beer on said day, shall be fined for the first offence fifty dollars, one half for the benefit of the informer and the other half for the benefit of the city, recoverable before any competent court or either of the Recorders, for the benefit of the city, and for the second offense shall forfeit his or their license.

Be it resolved, That the above resolutions shall be printed upon the license to be issued from and after the 1st day of January, 1856, and shall be considered as forming part of the conditions under which said license is granted.

Be it resolved, That all ordinances, or parts of ordinances, conflicting in their provisions with the above resolutions, are hereby repealed.

On motion the Board adjourned to Wednesday next, 26th inst., at 6 o'clock, P. M.

CHARLES CLAIBORNE, Secretary.

MAYORALTY OF NEW ORLEANS.

CITY HALL, 21st December, 1855.

GENERAL COUNCIL,
City of New Orleans, sitting of Thursday, Feb. 14, 1850.

AN ORDINANCE concerning Runners for Boarding-Houses.

Be it ordained by the General Council of the City of New Orleans:

ARTICLE 1. That from and after the 1st day of March next, it shall not be lawful for any agent, servants or runners of any boarding-house, tavern or lodging-house within the limits of this city, without first applying to the Mayor of the city for a license, for which they shall pay the sum of one dollar, to not in such capacity, under a penalty of not less than twenty-five dollars nor more than fifty dollars, for each and every offence.

2. That it shall not be lawful for any agent, servant or runner aforesaid to enter upon any ship, bark, brig, schooner, steamboat or other vessel, until the same shall have made fast to the levee, or without the permission of the master or other officer in command, under a penalty of fifty dollars and a forfeiture of his or their license.

3. That the fines set forth in this ordinance shall be recovered before any court of competent jurisdiction, one-half for the benefit of the informer and the other half for the benefit of the municipality wherein the ordinance shall have been violated; and in case of nonpayment of said fine, said person or persons above mentioned shall be imprisoned for a term not exceeding one month.

4. That all ordinances contrary to the provisions of the foregoing ordinance be and the same are hereby repealed.

Resolved, That the Mayor be and he is hereby requested to transmit to each of the Municipal Councils of the city a copy of the foregoing ordinance.

Resolved, That the said Councils are hereby earnestly requested to take such steps in the premises as will tend to carry into force and effect the above mentioned ordinance, and that a sufficient number of police officers be placed on the levee, within their respective limits, whose duty shall be to bring such person or persons violating the ordinance before the Recorder, to be dealt with according to the law herein provided.

[Signed] C. ROSELIUS, President.

Approved February 15, 1850.

[Signed] A. D. CROSSMAN, Mayor.

A true copy. Thos. Tebaud, Secy. dd2 tf

CULLUM'S LAKE HOUSE.—The undersigned wishes his friends and the public generally to understand that the Lake House will be conducted as before the decease of his partner, Mr. Thomas A. Applegate.

All persons having claims against the house will please present them for payment; and all those indebted to the house are requested to liquidate.

I was physically disqualified from attending to the duties of my office last Spring by a protracted sickness, and circumstances beyond my control compelled me to be absent most of the time since my recovery until very recently. I am now, however, more especially at home, with prompt, polite and efficient officers, and solicit a liberal share of public patronage.

Those leaving the city in pursuit of pleasure and refreshment, will find my house adequate to their wants.

Parties wishing extra preparations, will be promptly accommodated by leaving their orders at Dubosq & Mich's Livery Stables.

19 18 tf GEO. W. CULLUM.

DR. BAAKEE, Surgeon and Physician, Office, 28 Carondelet street. 48 ly

SPECIFICATIONS

For attending all the Nuisance Boats and Wharves of the city.

THE contractor shall receive the said nuisance boats and wharves in whatever condition they may be found at the time of entering into contract. This bid shall include the cost and expense per annum of all men, implements and fixtures, and all necessary repairs of the boats, implements, or fixtures, necessary to work said boats in an expeditious manner. He shall be prepared at all times, day or night, to receive, and shall receive and convey and discharge into the current of the river, all offal, manure, filth, dead animals and feetus, matter of whatsoever kind. Whenever by reason of winds or current any of the things so discharged in the channel of the river have a tendency to lodge against any bank of the river, any wharf or vessel, he shall, with iron and skids, cause said matter or things to be towed again into the current of the river, so that no part thereof shall lodge or remain within the corporate limits of the city of New Orleans. He shall furnish one man and one skiff at the nuisance or blood wharf of the Fourth District, to push off and tow out into the current all floating matters that may be discharged therefrom into the river.

The Council reserves the right to remove any of the nuisance wharves from their present locations, if they see proper; and in case of removal, the contractor shall be at the expense of removing the boats and fixtures.

At the expiration of the contract, the contractor shall return to the city all the said nuisance boats, their implements and fixtures, in a good state of repairs.

Payments will be made monthly on the Street Commissioner's certificate, reserving five per cent. until the expiration of the contract, said five per cent. payable only on a final certificate, after inspection, as to the state of repairs. Deductions shall be made from each monthly certificate of ten dollars for each and every time it shall be proved, to the satisfaction of the Street Commissioner, that any person has been detained from depositing in the nuisance boats anything proper to be deposited therein, more than fifteen minutes, (unavoidable accidents only excepted,) and the same amount of fine for each and every time that said contractor, by neglect, shall allow any of the offal or other offensive matter to lodge or remain against any bank of the river, wharf or vessel, within the corporate limits of the city of New Orleans.

In case of any gross neglect on the part of the contractor, the Street Commissioner shall have the right to declare the contract ipso facto null and void, without recourse to any court, and without any indemnity to the contractor; and the street Commissioner shall then have the right to put men in charge of the work, at the expense of the contractor and his securities.

Security shall be given in the sum of one thousand dollars, satisfactory to the Finance Committees, conditioned for the faithful performance of the contract.

The sale shall be for one year from the expiration of the present contract; the payments to commence from the time the contractor actually commences the work.

The City Council reserves the right to reject any adjudication made by virtue of these specifications, if they deem it advisable.

New Orleans, December 17, 1855.

AUGUST S. PHELPS,
Street Commissioner.

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SPECIFICATIONS

For cleaning the paved and unpaved, and keeping in repair the unpaved streets in the Fourth and Eleventh Wards of the City.

THE work will be adjudicated in separate contracts, as follows:

1st. The Fourth Ward, from the middle of Canal street to the middle of St. Louis street, and from the river to the North side of the Metairie Road.

2d. The Eleventh Ward, from the river, from the river bank as far back as the Claiborne Canal.

The contractors shall be bound at least twice a week, and oftener, if necessary, and so directed by the Street Commissioner or his deputies, during the continuance of their contracts, to clean and keep clean all the gutters, sluice-ways, crossings, and under all the bridges, in all the streets, alleys, lanes, roads, public ways and public places, levees and wharves within the limits of their sections, and to remove therefrom within twenty-four hours, all kinds of filth, dirt, grass, weeds or vegetable substances of every description that may be found growing in or upon the border of the banks, and also to remove all substances whatsoever that may obstruct or hinder in any manner the free circulation or the passage of the water in and through said gutters, sluice-ways, crossings, and under said bridges, and upon sidewalks.

The contractors shall be bound, on each and every day during the existence of their contracts, to take or cause to be taken and carried away from said out of all the streets, alleys, lanes, roads, public ways and public places, levees and wharves, and from all the sidewalks of banquettes, all the sweepings, M. D. during the months of June, July, August, September, and by 10 o'clock, A. M. during the balance of the year, all the filth, rubbish, manure, animal and vegetable substances, offal, kitchen stuff, and decident matters of any description whatever, that may be found therein, prejudicial to the health and cleanness of the city; and said contractors shall be further bound, also, to take, or cause to be taken away on each and every day, all filth, rubbish, manure, grass, animal and vegetable substances, offals, kitchen stuff and decident matters of any description whatever that may be found contained and deposited in boxes, barrels, baskets, tubs, or other vessels, or may be thrown or lying on any of said streets, alleys, lanes, roads, public ways, public places, levees and wharves, or upon any of the sidewalks or banquettes of the same, or that may be thrown upon the border or margin of the river down to the water edge.

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

The contractors shall be bound to keep 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 said gutters, with hoes or scrapers, all dirt or filth of whatsoever nature it may be, contained or found in said gutters, and put the same in piles on the side thereof, and then cause the same to be removed from the place 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 plugs in the fire-plugs, and then, when ready for each fire-plug so opened, in such manner as to conduct the water into the said gutters, without 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 that may be 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, etc., in all the paved streets, alleys, lanes, roads and public ways within the limits of their respective contracts, immediately on their first appearance and shall keep and preserve the grade of said unpaved streets, alleys, lanes, roads and public ways in a regular curved form and the surface even and smooth, so as to know the water in the gutters and sluice-ways on both sides.

The contractors shall be bound for the efficient accomplishment of the works aforesaid, to keep and employ a competent and sufficient number of carts 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 drop or run through and be scattered out, and shall be furnished with plates as required by Ordinance 1,852, approved November 3, 1854.

The contractors shall be bound to replace all bolts and nuts 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 deputies, relative to 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 employ the necessary number of men and teams to do the work, and to purchase the materials, if he may be able to obtain them, and to have the work done at the expense of the contractors and or their securities. The amount of the fines, 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 null and void, without appealing to a court of justice, or without indemnifying the contractors.

Each of the contractors shall furnish good and solvent securities to an amount equal to half the amount of his contract, to guarantee the faithful performances of said contract.

Payments shall be made monthly on presentation of the Street Commissioner's certificate, reserving ten per cent. from each monthly payment, until the expiration of the contract.

The contractors shall be bound to call at the Street Commissioner's office once on each and every day at 12 o'clock, M., to receive orders relative to the work to be done by them.

The contracts shall be adjudicated for one year from the expiration of the present contracts, and the payments shall commence from the time when the contractors shall have actually commenced the work, and after having, with their securities and the Mayor signed the contract. The Council reserves the right to reject any adjudication made under these specifications, if deemed advisable.

AUG. S. PHELPS, Street Commissioner.

New Orleans, December 17, 1855.

[Approved by the Committee on Streets and Landings.]

dls-3t

HOPE HALL,
No. 99 ST. CHARLES STREET.

THE UNDERSIGNED having purchased the well established No. 99 St. Charles street, lately known as HIROM'S SALOON, and the same refitted and refurnished in good style in the name of HOPE HALL, has respectfully to invite his friends and the public, and the traveling stranger, to visit the same, assuring them with spirited as well as neatly furnished entertainment.

His bar will be constantly furnished with the best Wines and Liquors that can be imported, and his arrangements in the culinary line cannot be surpassed.

He will keep at all times all the delicacies the Southern and Northern markets afford, and will supply families and parties with Fish, Game, Oysters, etc., in their natural state, or cooked in the most superior style.

He has employed obliging attendants, and those who know their patronage on Hope Hall, may rest assured that every attention will be paid them by the proprietor and assistants.

dl1 tf JOHN J. DANIELS,

COMPTROLLER'S OFFICE,
City of New Orleans, December 13th, 1855.

[No. 2471.

Resolved, That the Comptroller sell at public auction, after ten days' notice in the official journal, a contract for laying a round stone pavement on the public road or Levee street, of the Third District, subject to the approval of the Common Council. Property holders to pay to the contractor their proportion of the work done and also their proportion of the materials furnished by the city; and the said contractor will be subrogated to all the rights of the city for the collection of the same. Without recourse to the city in case the money should not be recovered from the property holders; and the proportion due by the city to be paid in cash on the completion of the work and acceptance of the same by the Street Commissioners.

[Signed] J. J. LUGENBUHL,
President Board of Aldermen.

[Signed] E. L. TRACY,
President Board of Assistant Aldermen.

Approved December 1st, 1855.

[Signed] JOHN L. LEWIS, Mayor.

Notice is hereby given, that on MONDAY, 24th inst., I will adjudicate at my office, at 12 o'clock, M., the above contract.

d13 tf O. DeBUYS, Comptroller.

COMPTROLLER'S OFFICE,
City of New Orleans, Dec. 13, 1855.

[No. 2499.

Resolved, That the Comptroller sell at auction, after ten days' notice in the official journal, contracts for cleaning the Nuisance Boats and Wharves, and repairing the unpaved streets in the Fourth and Eleventh Wards; and also a contract for attending the nuisance boats and wharves; all to go into effect on the expiration of the present contracts, and subject to the approval of the Council.

[Signed] J. J. LUGENBUHL,
President Board of Aldermen.

[Signed] E. L. TRACY,
President Board of Assistant Aldermen.

Approved December 11, 1855.

[Signed] JOHN L. LEWIS, Mayor.

Notice is hereby given, that on MONDAY, the 24th December, I will adjudicate at my office, at 12 o'clock, M., the above contract.

d13 O. DE BUYS, Comptroller.

COMPTROLLER'S OFFICE,
New Orleans, December 21, 1855.

The purchasers of the Poydras and St. Mary's Vegetable Markets having failed to comply with the provisions of a resolution of the Common Council, approved 8th July, 1851, notice is hereby given, that on WEDNESDAY, the 26th inst., at 12 o'clock M., I will adjudicate said two Markets.

O. DeBUYS, Comptroller.

d21 td

COMPTROLLER'S OFFICE,
City of New Orleans, May 1, 1855.

Resolved, That the Comptroller be, and he is hereby authorized and required to give notice, by a standing advertisement in the official journal, that in accordance with the ninth section of ordinance 1242, approved March 30, 1854, the Council will not pay any bill against the City unless contracted under authority of an order from the Comptroller, in accordance with the ordinance referred to.

[Signed] E. L. TRACY,
President Board of Assistant Aldermen.

[Signed] L. H. PLACE,
President Board of Aldermen.

Approved April 28, 1855.

[Signed] JOHN L. LEWIS, Mayor.

The attention of the officers of the city and of the public is respectfully called to the foregoing resolution.

O. DE BUYS,
Comptroller City of New Orleans.

may19 tf

Third District Pound.

WAS brought to the Third District Pound, No. 82 Elysian Fields street, as estrays—

One gray Horse, 13½ hands high, no visible brand or mark.

Which if not claimed within ten days and the expenses thereon paid, will be sold at public auction at said pound, on WEDNESDA