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THURSDAY MORNING, NOVEMBER 19, 1868.

[OFFICIAL.]

COMMON COUNCIL.

BOARD OF ASSISTANT ALDERMEN.

REGULAR SESSION.

CITY HALL, NEW ORLEANS, November 17, 1868.

The board met pursuant to adjournment.

In the absence of President Kearny, Mr. Thos. Fisher was called to the chair.

Present: Messrs. Aitkens, Walker, Pemberton, Camp, Montgomery, Fisher, Morphy, Pandely, Wynne and Farrell.

The reading of the minutes of last meeting was dispensed with, on motion of Mr. Pandely.

The following message from the mayor was read, and, together with the accompanying papers, was referred to the finance committee:

MAYORALTY OF NEW ORLEANS, City Hall, Nov. 17, 1868.

To the Honorable Common Council:

Gentlemen—Herewith is transmitted the demand of A. Belot, together with certain documents from E. Filleul, his attorney, claiming from the city of New Orleans twenty-six thousand eight hundred and seventy-three dollars damages for the destruction of merchandise and furniture on the 26th October, 1868, by a "mob or riotous assemblage."

Also a demand through their attorney, E. Filleul, of Jules Lanabere for four thousand dollars, and of Victor Belot for twelve hundred and eighty dollars damages for personal property alleged to have been "carried away and destroyed by a mob or riotous assemblage" on the same night.

These demands being made upon the city through me, as its representative, makes it my duty to suggest the following objections to the payment of the respective sums:

1. Remuneration in such cases is predicated upon the fact that the city has a police force ample to protect the property of its citizens, appointed by the mayor and paid with the approval of the council. Such is not the case now. The Legislature, in adopting, and Governor Warmoth, in approving the metropolitan police bill, deliberately deprived the city of any power to protect either life, limb or property. The whole power of keeping the peace and protecting citizens in the enjoyment of their rights was, by this act, vested in a board of commissioners who, in violation of the will of the corporation, and without deference either to the will or the rights of tax-payers, assume to supply the place of the former police force. It is simply preposterous to hold the city authorities, powerless as they are, to an account for the acts of rioters when it was impossible for the mayor to take needful steps for the preservation of property. It would be pilfering the city treasury to take from it one dollar under such circumstances.

2. By reference to the assessment rolls of the city it will be found that A. Belot rendered but four hundred dollars capital and money at interest for the year 1868. No furniture, nor other valuable stock in trade was returned as the subject of taxation. By what remarkable process he now sums up a catalogue amounting to the large sum which he claims for damages, is unknown to me.

I therefore, in laying the inclosed documents before you, beg to suggest that Belot, Lanabere and all others who consider themselves damaged by rioters, and prefer claims against the city, be referred to the source from whence the metropolitan bill emanated for such remedy or remedies as they can obtain. Very respectfully, etc.,

JNO. R. CONWAY, Mayor.

The treasurer's report for the week ending Nov. 14, 1868, showing receipts $576,283 97, expenditures $64,776 70, balance on hand $511,509 27, was referred to the finance committee.

The following communication from the city surveyor was received, and action on the subject deferred until a future day:

SURVEYOR'S OFFICE, ROOM NO. 19, CITY HALL. City of New Orleans, Nov. 17, 1868.

Aldermen:

Gentlemen—The resolutions approving the adjudications for the repairs of the paved streets of the fourth, fifth, seventh, eighth and ninth wards, having been referred to me for information concerning their value, I beg leave to submit the following report, to-wit:

SEVENTH WARD.

65420 superficial yards of paving, at 5c. per yard	3261 00
80520 running feet of banquetts with stone and wooden gutters, at 1c. per foot	805 20
1118 brick intersections, at 40c. each	447 20
560 stone crossings, at $1 each	560 00
Cost of repairs	$5073 40

EIGHTH WARD.

75,822 superficial yards of paving, at 5c. per yard	3791 10
46860 running feet of banquettes with stone and wooden gutters	468 60
681 brick intersections, at 30c	272 40
340 stone crossings, at $1	559 00
Cost of repairs of eighth ward	$5091 10

NINTH WARD.

46,234 superficial yards of paving at 5c. per yard	2311 70
73,500 running feet of banquette, at 1c.	735 00
1270 brick intersections at 40c	508 00
400 stone crossings, at $1	400 00
Cost of repairs of ninth ward	$3954 70

Another obligation imposed upon the contractor, which has not been included in the above estimates, is the keeping in repair of all the sidewalks in front of city property.

I had no time to make a survey of the fourth and fifth wards, but feel confident that the price of adjudication is also moderate.

I remain, respectfully, gentlemen,
Your obedient servant,
L. SURGI, City Surveyor.

Messrs. Rose and Sturcken here entered, and took their seats.

The following communications from the controller were read and referred to the committee on streets and landings:

CONTROLLER'S OFFICE, CITY HALL, New Orleans, Nov. 17, 1868.

To the Honorable the Common Council:

Gentlemen—I have the honor to report to your honorable body that on the 11th inst., after due notice in the official journal, and in accordance with ordinance No. 1090, N. S., I adjudicated the following contracts for repairing and keeping in repairs the bridges, and for building new bridges in the First, Second and Fourth Districts of the city, for the unexpired term of contract of Daniel Mulligan, put in default, to-wit:

First District—Repairing and keeping in repairs the bridges, to W. W. Devine, principal, P. Rooney, security, at ($29,000) twenty-nine thousand dollars. New bridges to the same, same security, at twenty-one cents (21 cents) per foot, board measure.

Second District—Repairing and keeping in repairs the bridges, to Behan & Thorn, principals, and James E. Edwards, security, at ($20,000) twenty thousand dollars. New bridges to John Bietry, principal, and S. Hernsheim, security, at fifteen cents (15 cents) per foot, board measure.

Fourth District—Repairing and keeping in repairs the bridges, to Ed. Burns, principal, and Wm. Henry, security, at ($12,000) twelve thousand dollars. New bridges to W. W. Devine, principal, and P. Rooney, security, at (8 cents) eight cents per foot, board measure.

And on the 12th inst., according to ordinance No. 1100, N. S., the contract for shelling and grading St. Andrew street, between Carondelet and Baronne sthets, to F. Marquez as principal, and Pat. Irwin, security, at two dollars and fifty cents ($2 50) per running foot.

On the same day, and according to ordidance No. 1103, N. S., the contract for shelling and grading Felicity road from Baronne to Howard streets, to Henry McGuinn, principal, and John McVittie, security, at ($2 75) two dollars and seventy-five cents per running foot.

Also, according to ordinance No. 1104, N. S., the contract for shelling and grading the east side of Washington avenue from Goodchildren to Claiborne streets, say a distance of five squares, to Jas. Fallon, principal, and W. Cullinan, security, at two dollars and five cents per running foot; and also, the contract for repairing the breakwater and road at Milneburg, fronting the lake, between Frenchmen and St. Anthony streets, to Henry Eiserman, principal, and C. A. Eag security, at $12,850.

Respectfully, etc.,
PAS. LABARRE, Deputy Controller.

CONTROLLER'S OFFICE, City Hall, New Orleans, Nov. 17, 1868.

To the Honorable the Common Council:

Gentlemen—I have the honor to report to your honorable body that, after due notice in the official journal, and according to ordinance No. 1046, I have this day adjudicated the following contracts for cleaning out all the draining canals, to-wit:

First Contract—To J. J. O'Hara, principal, and G. Correjolles and E. A. Davis, securities, at eighty six dollars and fifty cents per acre.

Second Contract—To John Mulroney, security Wm. Henry, at one hundred and thirty-five dollars per acre.

Third Contract—To John Mulroney, security Wm. Henry, at two hundred and fifty dollars per acre.

Fourth Contract—To H. McGuinn, security Dennis Cronan, Sr., at three hundred and sixty-five dollars per acre.

Fifth Contract—To H. McGuinn, security Dennis Cronan, Sr., at three hundred and fifty-five dollars per acre.

Sixth Contract—To H. McGuinn, security Dennis Cronan, Sr., at two hundred and seventy dollars per acre.

Seventh Contract—To H. McGuinn, security Dennis Cronan, Sr., at two hundred and ninety dollars per acre.

Eighth Contract—To John F. Rust, security J. McVittie, at two hundred and forty-five dollars per acre.

Ninth Contract—To John F. Rust, security Pat Gannon, at two hundred and thirty-five dollars per acre.

Tenth Contract—To John Wolf, security J. A. Florat, at two hundred and fifteen dollars per acre.

Eleventh Contract—To John Wolf, security J. A. Florat, at two hundred dollars per acre.

Twelfth Contract—To John Bietry, security B. S. Harrison, at four hundred and ninety dollars per acre.

Thirteenth Contract—To John Wolf, security J. A. Florat, at two hundred and fifty dollars per acre.

Fourteenth Contract—To John F. Rust, security W. J. Goodman, at one hundred and forty-five dollars per acre.

Fifteenth Contract—To John F. Rust, security Thos. McKnight, at one hundred and ninety-five dollars per acre.

Sixteenth Contract—To John Bietry, security B. S. Harrison, at one hundred and thirty dollars per acre.

Seventeenth Contract—To A. C. Brown, security S. Field, Sr., at one hundred and forty-five dollars per acre.

Eighteenth Contract—To Pat Mooney, security John McVittie, at ninety-five dollars per acre.

Nineteenth Contract—To John F. Rust, security Thomas McKnight, at forty-five dollars per acre.

First Contract—Camp street canal, from Felicity Road to Clio street, 20 feet at top, 8 feet at bottom, and six feet deep.

Second Contract—Melpomene street canal, from Camp street to Dryades street, 20 feet at top, 10 feet at bottom, and 7 feet deep.

Third Contract—Melpomene street canal, from Dryades to Claiborne, 30 feet wide at top, 16 feet at bottom, and 7 feet deep.

Fourth Contract—Canal street canal, from Claiborne to Hagan avenue, 30 feet at top, 16 feet at bottom, and 7 feet deep.

Fifth Contract—Canal street canal, from Hagan avenue to St. Patrick street, 30 feet at top, 16 feet at bottom, and 7 feet deep.

Sixth Contract—Galvez street canal, from New Canal to Carondelet Canal, 25 feet at top, 11 feet at bottom, and 7 feet deep.

Seventh Contract—Broad street canal, from New Canal to Carondelet Canal, 25 feet at top, 11 feet at bottom and 7 feet deep.

Eighth Contract—Broad street canal, from Carondelet Canal to Esplanade street, 25 feet at top, 11 feet at bottom, and 7 feet deep.

Ninth Contract—Broad street canal, from Esplanade street to Marigny canal, 25 feet at top, 11 feet at bottom, and 7 feet deep.

Tenth Contract—Carrollton avenue canal, from New Canal to Canal street, 30 feet at top, 16 feet at bottom, and 7 feet deep.

Eleventh Contract—Carrollton Avenue canal, from Canal street to Orleans street, 30 feet at top, 16 feet at bottom, and 7 feet deep.

Twelfth Contract—Marigny canal, from London avenue to Elysian Fields, 35 feet at top, 21 feet at bottom, and 7 feet deep.

Thirteenth Contract—Elysian Fields Canal, from Marigny canal to Claiborne street, 25 feet at top, 11 feet at bottom, and 7 feet deep.

Fourteenth Contract—St. Bernard avenue canal, from Broad street to Claiborne, 25 feet at top, 11 feet at bottom, and 7 feet deep.

Fifteenth Contract—Orleans street canal, from Claiborne to Bayou St. John, 23 feet at top, 16 feet at bottom, and 7 feet deep.

Sixteenth Contract—Claiborne street canal, from Esplanade to Elysian Fields, 25 feet at top, 11 feet at bottom, and 7 feet deep.

Seventeenth Contract—Claiborne street canal, from Esplanade to Orleans street, 25 feet at top, 11 feet at bottom, and an average depth of 6 feet.

Eighteenth contract—Claiborne street, from Carondelet Canal to Palmyra, 25 feet at top, 16 feet at bottom, and an average depth of 3 feet.

Nineteenth Contract—Carondelet Walk canal, from Galvez street to Hagan avenue, 15 feet at top, 3 feet at bottom, and 6 feet deep.

All of which is respectfully submitted,
PAS. LABARRE, Deputy Controller.

The following resolution from the Board of Aldermen was read and unanimously concurred in on its several readings:

Resolved, That the city surveyor be and he is hereby authorized to place at the Ninth Street Market a stone crossing for the convenience of the public attending said market; *Provided*, The cost of same does not exceed two hundred and fifty dollars.

Mr. Breen here entered and took his seat.

The following ordinance, received from the Board of Aldermen, was read and acted upon *seriatim*, after which it was placed upon its final passage, and *section* 4 of the original bill having been stricken out it was concurred in as follows:

Ayes—Messrs. Rose, Aitkens, Walker, Pemberton, Montgomery, Fisher, Pandely, Wynne and Breen.

Nays—Messrs. Sturcken, Morphy and Farrell.

Mr. Campbell voting blank.

AN ORDINANCE PROVIDING FOR THE REDEMPTION AND ABSORPTION OF THE VARIOUS ISSUES OF CITY TREASURY NOTES AND THE RELIEF OF THE FINANCES OF THE CITY OF NEW ORLEANS, TO BE SUBMITTED TO THE APPROVAL OR DISAPPROVAL OF THE QUALIFIED VOTERS OF THE CITY OF NEW ORLEANS.

WHEREAS, The Common Council of the city of New Orleans has exhausted every means within their direct control for the relief of the finances of the city; and

WHEREAS, They have applied, without success, for assistance from the Legislature of the State of Louisiana; therefore

SECTION 1. *Be it ordained by the Common Council of the city of New Orleans*, That the mayor, controller, treasurer and chairmen of the finance committees of the Common Council be and they are hereby authorized to issue bonds of the city of New Orleans in and for the sum of ($3,000,000) three million dollars, dated December 1, 1868, and payable twenty five years after date in the legal currency of the United States, and bearing interest at the rate of seven and three-tenths of one per centum per annum, in semi-annual coupons.

SEC. 2. *Be it further ordained, etc.*, That these bonds shall be used exclusively for the purpose of absorbing the various issues of city treasury notes, and shall be offered for sale in city notes and under no conditions shall be sold for less than par.

SEC. 3. *Be it further ordained, etc.*, That in addition to the present taxation a tax of (¼) one-fourth of one per cent. be levied annually on the assessed value of all real and personal property and on the amount of each and every license paid into the city treasury by the party following the profession licensed, within the corporate limits of the city of New Orleans (not exempted by law from taxation), and that the same be and is hereby set aside and pledged to be used solely and exclusively for the payment of the interest and the redemption of the bonds to be issued by virtue of this ordinance, and that this annual tax shall be deposited daily, when collected, in such bank in the city of New Orleans as may be designated by the Common Council.

SEC. 4. *Be it further ordained, etc.*, That the bonds to be issued under the provisions of this ordinance be and the same are hereby exempted from taxation by the city.

SEC. 5. *Be it further ordained, etc.*, That all city notes received in exchange for or in purchase of the bonds to be issued under this ordinance, shall be cancelled and defaced daily as they are received into the treasury, and whenever they shall amount to the sum of one hundred thousand dollars, shall be publicly destroyed in the manner prescribed by existing ordinances.

SEC. 6. *Be it further ordained, etc.*, That all ordinances or resolutions conflicting with this ordinance be and the same are hereby repealed, and that this ordinance shall take effect from and after its approval by a majority of the qualified voters of the city of New Orleans voting at a special election to be held under the provisions of this ordinance.

SEC. 7. *Be it further ordained, etc.*, That after ten days' proclamation by the mayor in the official journal of the city of New Orleans, the qualified voters of the city of New Orleans be called upon to approve or disapprove this ordinance. Those voting affirmatively to have printed or written on their ballots, "For issue of bonds;" those voting negatively, "Against issue of bonds."

The polls to be opened and the election conducted in accordance with existing laws and ordinances, and returns to be made to the mayor. All persons registered under the late registration law of the State to be considered qualified voters.

The following resolutions, received from the Board of Aldermen, were read and unanimously concurred in on their several readings:

Resolved, That the shells purchased from N. Condon by adjudication shall be subject to the order of the city surveyor and chairman of committee on streets and landings.

WHEREAS, Section 25 of the city charter provides for the election of twelve assessors during the month of December, therefore be it

Resolved, That the Board of Assistant Aldermen be invited to meet this board in joint session on Tuesday, December the 8th, 1868, for the purpose of electing twelve assessors for the term of two years, as provided by the charter of the city.

Resolved, That the street commissioner be and he is hereby authorized and instructed to immediately remove or cause to be removed all obstructions now incumbering the levees in the shape of shows, flying horses, target shooting, ring pitching, etc.

Resolved, That a committee of two members of this board be appointed by the chair, and that the Board of Assistant Aldermen be requested to appoint a committee of three members, to form, with the committee of this board, a special joint committee, to confer with the authorities of Jefferson City in regard to the proper establishment of the boundary line of said Jefferson City and the Fourth District of this city.

Resolved, That the surveyor be and he is hereby authorized to have repaired the roof of the Engine House No. 3: *Provided* it does not cost over $200.

Resolved, That the controller be and he is hereby authorized to adjudicate to the lowest bidder, after five days' notice in the official journal, the contract for grading and shelling Craps street, from Elysian Fields to Enghien street, say a distance of five squares, the work to be done in strict accordance with the specifications of the city surveyor.

The following resolution, sent to the Board of Aldermen for concurrence, was returned by that body so amended as to strike out the words, "*to the extent of two millions dollars*," which amendment was concurred in and the resolution adopted as follows:

Resolved, That the finance committees be and they are hereby authorized to contract for and have printed bonds of the city of New Orleans bearing date July 22d, 1868, payable in thirty years after date, and bearing interest at five per cent. per annum in semi-annual coupons; said bonds or such amount as may be necessary for the liquidation of the city indebtedness to the Commercial Bank, to be signed by the mayor, controller and treasurer, and paid over only upon the order of the Common Council.

Amended by striking out the words, "two millions" and leaving the amount blank.

The finance committee submitted the following report:

FINANCE COMMITTEE ROOM, No. 23 City Hall, New Orleans, Nov. 17, 1868.

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

Gentlemen—The communication of the city controller, notifying the council that at the request of F. Mouney, late assistant city treasurer, he had delivered to him receiving warrants for the sum of $29,581 83, and that said Francis Mouney had neglected to pay into the city treasury the amounts thus warranted for, has been carefully considered by your committee. This is a serious matter, rendered still more serious by the fact that other deficits have been discovered by the present city treasurer and the experts employed by this committee, who are preparing a detailed statement to be submitted to them. The whole subject, accompanied by the proper documents, will in a few days be placed in the hands of the city attorney, with instructions to bring civil or criminal suits as in his judgment the emergencies of the case may require.

On the resolution referred to this committee authorizing the payment of J. G. Roche's salary as coroner of the First and Fourth Districts and right bank of the parish of Orleans, favorably.

Respectfully submitted,
TH. F. FISHER, Chairman.
R. WYNNE.
JOHN BREEN.

The following resolution accompanying report of the finance committee was read and adopted unanimously upon its several readings:

Resolved, That the controller be and he is hereby authorized to warrant on the treasurer of the city in favor of J. G. Roche, coroner for First and Fourth Districts, and Right Bank, parish of Orleans, for and in the sum of thirteen hundred and twenty-five dollars ($1325) being amount of salary from 1st day of July, 1868, to 17th day of October.

The committee on streets and landings submitted the following report:

COMMITTEE OF STREETS AND LANDINGS, Board of Assistant Aldermen, City Hall, Nov. 17, 1868.

To the Honorable Board of Assistant Aldermen:

Gentlemen—Your committee have the honor to report upon the following subjects referred to them, viz:

1st. Upon the report of the city controller informing the Common Council that according to Ordinance No. 1082, N. S., he adjudicated a contract for grading and shelling Magnolia street, between Washington street and Felicity road, to Henry McGuinn, as principal, and John McVittee, as security, at two dollars and seventy-five cents ($2 75) per running foot, your committee report favorably, and offer the necessary resolution for adoption.

2d. Upon the report of the city controller informing the Common Council that according to Ordinance No. 1083, N. S., he adjudicated a contract for grading and shelling Foucher street from Calliope street to Delord street, (distance two squares) to Henry McGuinn, as principal, and John McVittie, as security, at two dollars ($2 00) per running foot, your committee report favorably, and offer the necessary resolution for adoption.

3d. Upon the report of the city controller, informing the Common Council that according to Ordinance No. 1037, he adjudicated a contract for shelling and grading Claiborne street between Esplanade and Elysian Fields street, to James Fallon, as principal, and William Cullinan, as security, at one dollar and ninety-nine cents ($1 99) per running foot, your committe report favorably, and offer the necessary resolution for adoption.

GERALD FARRELL, Chairman,
G. PANDELY.
W. W. WALKER,

The following resolutions accompanying the report of the committee on streets and landings were unanimously adopted on their several readings:

Resolved, That the adjudication by the controller of a contract for grading and shelling Magnolia street, between Felicity road and Washington street, to Henry McGuinn as principal, and John McVittie as security, at two dollars and seventy five cents ($2 75) per running foot, be and the same is hereby approved, the security accepted, and the mayor authorized to enter into contract with the parties per notarial act for the performance of said work.

Resolved, That the adjudication by the controller of a contract for grading and shelling Foucher street, from Calliope to Delord street (distance two squares), to Henry McGuinn as principal, and John McVittie as security, for and in consideration of the sum of two dollars ($2) per running foot, be and the same is hereby approved, the security accepted, and the mayor authorized to enter into contract with the parties per notarial act for the performance of said work.

Resolved, That the adjudication by the city controller of a contract for shelling and grading Claiborne street, between Esplanade and Elysian Fields streets, to James Fallon as principal, and William Cullinan as security, at one dollar and ninety-nine cents ($1 99) per running foot, be and the same is hereby approved, the security accepted, and the mayor authorized to enter into contract with the parties per notarial act for the performance of said work.

The committee on water works submitted the following report:

BOARD OF ASSISTANT ALDERMEN, CITY HALL, New Orleans, November 7, 1868.

To the Members of the Board of Assistant Aldermen:

Gentlemen—Your committee on water works have the honor to report favorably on the resolution awarding five hundred dollars to Mr. Gus. Freret, for salary as secretary to the Board of Arbitrators for the purchase of the Commercial Bank Water Works by the city. Very respectfully,

W. H. PEMBERTON, Chairman.
GERALD FARRELL.
G. PANDELY.

The following resolution, accompanying the above report, was adopted on its several readings unanimously:

Resolved, That the controller be and he is hereby authorized to warrant on the treasurer in favor of Gus. Freret for $500, in full payment of his salary as secretary of the board of arbitrators for the purchase of the Commercial Bank Water Works by the city of New Orleans.

The committee on improvements and buildings submitted the following reports:

BOARD OF ASSISTANT ALDERMEN, CITY HALL, New Orleans, Nov. 16, 1868.

To the Honorable the Board of Assistant Aldermen:

Gentlemen—Your committee on improvements and buildings submit the following report on matters intrusted to them for examination:

On the petition of J. Jacobus, asking permission to erect a soap factory on the corner of Main and Gayoso streets, favorably by resolution.

On the resolution from the Board of Aldermen, forbidding captains, owners or consignees of vessels from selling lumber in quantities less than a whole cargo, and imposing fines for its infraction, unfavorably.

We are, very respectfully,
JOHN BREEN, Chairman.
H. F. STURCKEN.
C. CAMP.
R. WYNNE.

ROOMS OF COMMITTEE ON IMPROVEMENTS AND BUILDINGS, New Orleans, Nov. 16, 1868.

To the Honorable the Board of Assistant Aldermen:

Your committee, to whom was referred the application of the custodian of notarial records relative to rent of his office, would respectfully report that from the 1st of March to the 1st of November, 1867, as per controller's report, the sum of forty dollars per month was paid by the city for such purpose, and that during the year ending the 1st of November, 1868, the sum so paid was one hundred and twenty-five dollars per month; and, further, they would recommend the adoption of the accompanying resolution, appropriating the sum of forty dollars per month for the payment of such rent.

Respectfully submitted,
JOHN BREEN, Chairman.
C. CAMP.
R. WYNNE.

The following resolutions, accompanying the above reports, were unanimously adopted on their several readings:

Resolved, That permission be and is hereby granted to I. Jacobus to establish and erect a soap factory at the corner of Dumaine and Gayoso streets, to remain during the pleasure of the Common Council.

Resolved, That the sum of forty dollars for each and every month, from the first day of November, eighteen hundred and sixty-eight, until the thirty-first day of October, eighteen hundred and sixty-nine, be and the same is hereby appropriated for the payment of the rent of the office occupied by the custodian of notarial records, in his official capacity.

Resolved further, That the controller be and he is hereby instructed to warrant on the treasurer, in favor of said custodian of notarial records, at the end of each and every month, during the period aforesaid, for the monthly sum of forty dollars aforementioned.

The following report was submitted by a special committee, composed of Messrs. Sturcken and Breen, and action upon the resolution covering the subject of the report deferred for a future day:

BOARD OF ASSISTANT ALDERMEN, City Hall, New Orleans, Nov. 17, 1868.

To the Honorable the Gentlemen of the Board of Assistant Aldermen:

Gentlemen—Your "special committee" to examine into the matter of the resolution granting to Mrs. B. Rister permission to continue her sausage factory, at the corner of Annunciation and Sixth streets, have so examined and finding no reason why the permission should not be granted, have the honor to report on the resolution favorably.

Very respectfully,
H. F. STURCKEN.
JOHN BREEN.

The special committee on markets submitted the following report:

NEW ORLEANS, Nov. 17, 1868.

To the Honorable Board of Assistant Aldermen:

Gentlemen—The undersigned, your committee appointed to examine and report on the market ordinances, beg leave to recommend the ordinance reported by the finance committee with the amendments adopted by your honorable body, and a few amendments and additions reported herewith.

Respectfully,
HUGH W. MONTGOMERY, Chairman.
TH. F. FISHER.
J. C. ROSE.

The following ordinance, as amended by the committee and which accompanied the above report, was acted upon seriatim, after which it was put upon its final reading and adopted unanimously as follows:

AN ORDINANCE concerning the markets of the city of New Orleans, and providing for the farming of the revenues thereof.

SECTION 1. *Be it ordained by the Common Council of the City of New Orleans*, That on the first Monday in December of each year the controller shall adjudicate, or cause to be adjudicated, at his office, to the highest bidder, the collection of the revenues of the public markets separately for one year from the first of January following. He shall give ten days notice in the official journal of the city of the day and hour at which said adjudication shall take place, the city authorities reserving the right to reject any or all the bids; *Provided*, That when any adjudication made by the controller is rejected by the Common Council, it shall be the duty of the controller to readjudicate the market or markets, after the usual notice; *And provided further*, That the lease of all the markets shall expire on the same day, whether commencing on the first day of January as provided above, or at any subsequent date.

SEC. 2. *Be it further ordained*, That the farmers or lessees shall, immediately after said adjudications, furnish one-twelfth in cash, and their promissory notes for the balance, indorsed to the satisfaction of the finance committee, payable from the first of January at 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 months. Should any farmer or lessee refuse or neglect to furnish the one-twelfth in cash, and his notes as aforesaid, the controller is hereby authorized to cause a new adjudication to be made forthwith, for account and risk of said farmer or lessee.

SEC. 3. *Be it further ordained, etc.*, That the farmer or lessee of such revenues shall not be entitled to collect other dues than those hereinafter mentioned, to-wit: The occupants of all stalls and stands of the several markets shall be and they are hereby required to pay for said stalls or stands at the rates of charges as in existing market ordinance, article No. 580 of Leovy's city laws and ordinances; and it shall be the duty of the surveyor to designate which are corner tables. All butchers and retailers of fish shall be answerable for the frames and hooks, and that each vendor of plants or bouquets shall pay to the farmer, lessee or collector of said markets twenty-five cents per day.

SEC. 4. *Be it further ordained, etc.*, That all kinds of meat, fowl, game, fish, vegetables, and all other articles destined for the daily supply of the city, may be bought and sold at the markets; but at the Beef Market of the Second District no fish or vegetables shall be sold.

SEC. 5. *Be it further ordained, etc.*, That said markets shall be open at the dawn of day, and shall close at 12 o'clock M., precisely, from the 1st of September to the 30th of April, at 10 o'clock from the 1st of May to the 31st of August; and the closing of the market shall be announced by the market bell, which it shall be the duty of the commissary to ring or cause to be rung.

SEC. 6. *Be it further ordained, etc.*, That during the half hour immediately following the closing of said markets, the butchers or other persons hiring or occupying their respective stalls, stands and tables, shall be bound to scrape, wash and cleanse the same, so as to keep the said stalls, stands and tables in the highest state of cleanliness; and every person neglecting to comply punctually with the disposition of this section, or who shall not quit the said markets at the hour specified in section 5 of the present ordinance, shall pay a fine of five dollars for each offense.

SEC. 7. *Be it further ordained, etc.*, That it shall be the duty of the farmer, or any other person authorized by the city to collect the above established duties, to keep an exact register of the persons to whom he lets the stalls, stands, tables and frames with hooks, at market hours, and deliver certificates thereof to persons occupying the same. Any person occupying any table, stand or stall without the consent of said farmer or collector, and who shall refuse to deliver up the same on the first request which shall be made to them by the commissary of the market, shall pay a fine of ten dollars for each offense.

SEC. 8. *Be it further ordained, etc.*, That it shall not be lawful for any person to erect, or keep any stand, sell fish, shrimps, or have tubs to wash, or other encumbrance, on any of the banquettes of markets of the city; nor to scale or cut fish on any of the square tables, but exclusively on blocks prepared for that purpose, within the markets, under a fine of not less than five dollars a day for each stand.

SEC. 9. *Be it further ordained, etc.*, That if any person shall sell, or expose for sale within the markets aforesaid, any blown, stale, imperfect or unwholesome provisions, or meat of any animal that died of disease, such provisions or meats shall be seized by the commissary, and shall be thrown into the nuisance boat, and the offender shall be fined from ten to fifty dollars for the first offense, and for the second he shall be deprived of vending in any of the markets, or of hiring any stall. It shall be the duty of the commissaries of the markets daily to make a strict inspection of the butchers' meat, and of other provisions exposed for sale at the said markets, and to enforce the strict observance of this regulation.

SEC. 10. *Be it further ordained, etc.*, That it shall be obligatory on the commissaries of the markets always to have in the said markets scales and weights, and with them from time to time examine the scales and weights used by the vendors; and also to be used at the request of any person, who, at the time of purchase, may desire to prove the weight of any meat or other provisions purchased by them. No scales and weights shall be used in the said markets unless the same are proved and stamped in accordance with law. Any violation of the provisions of this section, or selling by false weights, shall subject the offender to a fine of fifty dollars for each and every offense; and in default of payment said offender shall be incapable of vending in any of the markets of the city.

SEC. 11. *Be it further ordained, etc.*, That it is expressly forbidden, under a penalty of fifty dollars for each offense, to sell or cause to be sold within said markets, or on the footways surrounding the same, any spirituous liquors; and it is also forbidden to all hawkers and peddlers to sell any sorts of goods or merchandise in said markets, or on the footways surrounding the same, under a penalty of ten dollars for each offense.

SEC. 12. *Be it further ordained, etc.*, That fish, fruit and vegetables may be sold through the streets of the city at any time between 6 A. M. and 12 M.

SEC. 13. *Be it further ordained, etc.*, That all carts or wagons for the conveyance of all the supplies whatever to said markets, shall be placed under the inspection of the commissaries of the markets, and no cart or wagon shall arrive at any of the markets of the city before the hour of four o'clock P. M., nor occupy any of the streets adjacent thereto; and said carts or wagons shall be removed therefrom after the closing of the markets, at 11 o'clock A. M. between the 1st of May and the 31st of August, and 10 o'clock P. M. between the 1st of September and 30th of April, so that said markets may be cleaned according to law; and for each infringement of any of the foregoing provisions of this section, the parties so offending shall incur a penalty of five dollars; and the cart or wagon thus found in contravention to be detained until the aforesaid penalty be paid.

SEC. 14. *Be it further ordained, etc.*, That game, fowls, fruit, vegetables, milk, butter and cheese may be vended from carts or wagons during market hours, within three squares of any of the public markets; *Provided*, That said carts or wagons shall be backed up against the banquettes, with the horses or mules detached, and in such order under the direction of the commissary as may not obstruct the free passage of the streets by other vehicles; *and Provided further*, That the farmer or lessee of each market (except in the case of the Poydras and Pilié markets, and the Beef, Fruit and Vegetable Markets of the Second District,) shall collect from the owner of each cart or wagon vending market stuff the sum of twenty-five cents per day; *and Provided further*, That the cart or wagon first arriving on the ground and reporting to the commissary shall be entitled to the choice of position.

SEC. 15. *Be it further ordained, etc.*, That it shall be the duty of the surveyor to designate the particular streets near each market where market carts and wagons shall stand; and that it shall be unlawful to occupy any street or locality except such as may be so designated.

SEC. 16. *Be it further ordained, etc.*, That the market dues on each market cart or wagon standing on the west side and west of Rampart street, adjacent to the Pilié market, shall be collected by the farmer or lessee of said Pilié market; and the dues on said carts and wagons standing on the east side and east of Rampart street, adjacent to the Poydras market, shall be collected by the farmer or lessee of said Poydras market, and that the dues on market carts or wagons standing within three squares of the Vegetable Market of the Second District shall be collected by the lessee, farmer or collector of the said Vegetable Market.

SEC. 17. *Be it further ordained etc.*, That all persons are forbidden to stand, sit or lie on the stalls or stands of the markets, under a penalty of two dollars for each offense. That it shall be the duty of the commissaries of the markets to see that no offense is perpetrated against the farmers of the markets, to keep order in the markets, to have arrested all persons who disturb the public peace, and to conduct them before the mayor, recorder or any magistrate, to be punished according to law. The said commissaries shall always be present in said markets during the market hours, and during the cleaning of the markets, except in case of sickness; and in such case he or they shall give notice to the mayor.

SEC. 18. *Be it further ordained, etc.*, That the farmers shall not, under any pretext whatever, exact or receive fees of any person selling in any other places than those designated by the present ordinance, under a penalty of twenty-five dollars for each offense. That butchers or other persons having salt corned meats, etc., salt or corned beef or pork for sale, shall not exhibit the same on the stalls, unless in a clean, white tray, not painted, twenty-six inches long, sixteen inches wide and six inches deep; they may also keep a harness cask, or tight box, of the same dimensions as the butchers' block. That no fruit or vegetables shall be washed within said markets between 12 M. and midnight, under a penalty of five dollars for each offense.

SEC. 19. *Be it further ordained, etc.*, That the dues the farmers of the market are entitled to collect for tables, stands and stalls, shall be payable to them daily, and they are hereby empowered to take possession of any table, stand or stall, the lessees of which have allowed one day to pass without having paid the dues for the same, after a demand made for said dues; and no person dispossessed of a table, stand or stall, for non-payment of the dues, shall be permitted to occupy any place in the markets, until he pays all arrears to the farmer.

SEC. 20. *Be it further ordained, etc.*, That no groceries, dry goods, hats, boots, shoes, corn, oats, hay or other merchandise, (except plants or bouquets,) shall be sold in any of the markets, market carts or wagons, or on any of the sidewalks, or in any of the streets within three squares of any market, under penalty of twenty dollars for each and every offense, recoverable before any court of competent jurisdiction.

SEC. 21. *Be it further ordained, etc.*, That it shall not be lawful for any lessee of the market to demand or receive from any person desiring to rent or renting any stall, table, or stand in a market, any greater sum than that fixed by this ordinance, or for back rent which may be due to said lessee for such stall, table or stand, from any other person than the person who may desire to rent or may have rented the same, under a penalty of fifty dollars for each offense, recoverable before any court of competent jurisdiction, for the benefit of the city.

SEC. 22. *Be it further ordained, etc.*, That all vendors of vegetables, fruits or other articles authorized to be sold in the markets, who shall obstruct, or cause to be obstructed, the thoroughfares thereof or the sidewalks with boxes, barrels or other articles whatever, or who shall not remove such obstructions from said markets or sidewalks thereof, within half an hour after market hours, shall be liable to a fine of five dollars for each offense.

SEC. 23. *Be it further ordained, etc.*, That it shall not be lawful to light or keep any fires in the markets, except oil, spirit-gas or charcoal, and those only for the purpose of heating chocolate, tea, milk and coffee; and any person who shall violate this section shall pay a fine of not less than five dollars for the first offense, nor less than ten dollars for each subsequent offense.

SEC. 24. *Be it further ordained, etc.*, That any person who shall disobey any order of the commissaries authorized by this ordinance, regulating said markets, shall be liable to a fine of ten dollars.

SEC. 25. *Be it further ordained, etc.*, That it shall be unlawful for any person to occupy any portion of the sidewalks or pavements bordering any of the public markets of the city by depositing thereon, for sale or other purposes, any article whatsoever, calculated to obstruct the free passage thereon by pedestrians; or to erect, or continue if already erected, in or over the said sidewalks or pavements, any awning, shed, bench or partition; or to erect, or continue if already erected, within the public markets, any awning, shelf or partition, under a penalty of five dollars for each day the nuisance is unabated.

SEC. 26. *Be it further ordained, etc.*, That the farmers or lessees of the markets shall provide for keeping clean (whitewashing the buildings at least once a year in the month of May) and sweeping daily, the markets, the sidewalks and the streets used by market carts and wagons, at their own expense.

SEC. 27. *Be it further ordained, etc.*, That the street commissioner be, and he is hereby authorized, whenever the farmers of the markets of the city shall fail to comply with the provisions of this ordinance for cleaning said markets, to notify the farmer or farmers so delinquent to have his or their market cleaned forthwith, under a penalty of twenty dollars per day for every day he or they shall neglect or fail to comply with said ordinance and notification.

SEC. 28. *Be it further ordained, etc.*, That the farmers of the markets shall furnish a sufficient number of barrels or tubs to contain the daily refuse of the various