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THURSDAY MORNING, DECEMBER 17, 1868.

[OFFICIAL.]

COMMON COUNCIL.

BOARD OF ASSISTANT ALDERMEN

REGULAR SESSION.

CITY HALL, NEW ORLEANS, December 15, 1868.

The board met pursuant to adjournment.

Present: President Kearny, Messrs. Rose, Aitkens, Walker, Montgomery, Grandpré, Morphy, Pandely, Wynne, Farrell and Breen.

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

The treasurer's report for the week ending Saturday, Dec. 12, 1868, showing receipts $12,012 51, expenditures $48,861 98, balance on hand $497,138 44, was referred to the finance committee.

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

CONTROLLER'S OFFICE, CITY HALL, New Orleans, Dec. 15, 1868.

To the Honorable the Common Council:

Gentlemen—I have the honor to report to your honorable body that, on the 10th instant, I adjudicated the contract for grading and shelling Josephine street, as per ordinance No. 1137, N. S., to H. McGuinn, as principal, B. Collins as security, at ($2 25) two dollars and twenty-five cents per running foot.

Also, on the 12th instant, the contract for grading and shelling Craps street, as per ordinance 1131 N. S., to F. Marquez, as principal, P. Leahy as security, at ($2 35) two dollars and thirty-five cents per running foot.

All of which is respectfully submitted,

J. O. LANDRY, Controller.

CONTROLLER'S OFFICE, CITY HALL, New Orleans, Dec. 15, 1868.

To the Honorable the Common Council:

Gentlemen—I have the honor to report to your honorable body that this day, at 12 M., I adjudicated the following contracts, to wit:

1st. For grading and shelling Constance street, as per ordinance No. 1139 N. S., to F. Marquez, as principal, P. Irwin as security, at ($2 09) two dollars and nine cents per running foot.

2d. For grading and shelling Liberty street, as per ordinance 1149 N. S., to H. McGuinn, as principal, John Bietry as security, at ($2 30) two dollars and thirty cents per running foot.

3d. For grading and shelling Felicity Road, as per ordinance No. 1150 N. S., to H. McGuinn, as principal, John Bietry security, at ($2 09) two dollars and nine cents per running foot.

All of which is respectfully submitted,

J. O. LANDRY, Controller.

The following communication from the controller was referred to the finance committee:

CONTROLLER'S OFFICE, CITY HALL, New Orleans, Dec. 15, 1868.

To the Honorable Common Council:

Gentlemen—I would respectfully report to your honorable body that on Saturday, the 12th inst., I adjudicated the revenues of the following markets, viz:

FIRST DISTRICT.

Poydras Market—To A. Dumestre, for $67,350. Security, G. Gastillon.

St. Mary's Market—To Wm. Maylie, for $26,000. Security, Jean Dubary.

Dryades Market—To C. Mosel, for $3600 per month. Security, J. Goudier.

Claiborne Market—To C. Mosel, for $1000 per month. Security, J. Goudier.

SECOND DISTRICT.

Trémé Market—To B. Beonbay, for $48,700. Security, A. Larquier.

Beef Market—To John Fernandez, for $50,400. Security, William Creevy.

Vegetable Market—To Joseph Batte, for $63,000. Security, N. Frechaux and J. Michel.

Fruit Market—To Joseph Batte, for $15,000. Security, Frechaux & Michel.

THIRD DISTRICT.

Washington Market—To A. Bousion, for $2200. Security, Vincent Micas.

St. Bernard Market—To Pierre Delord, for $5100. Security, J. Cleris and L. Cronzeilles.

Port Market—To A. Bousion, for $17,100. Security, Vincent Micas.

Le Breton Market—To Jean Cazeau, for 1100. Security, —— Déréthé.

FOURTH DISTRICT.

Magazine Market—To O. M. Redon, for $34,100. Security, M. Brenen.

Sarrazaru Market—To L. Redon, for $8050. Security, O. M. Redon.

Ninth Street Market—To John Haas, for $17,800. Security, Mitchel Peltz

I remain, yours, respectfully,

J. O. LANDRY, Controller.

The following communication from the controller was received:

CONTROLLER'S OFFICE, CITY HALL, New Orleans, December 15, 1868.

To the Honorable the Common Council:

Gentlemen—I have the honor to report to your honorable body, that on the 10th inst., after due notice in the official journal, and in accordance with ordinance No. 1155, N. S., I adjudicated the following contracts for repairing and keeping in repair the bridges and for building new bridges in the First, Second and Fourth Districts of the city, for the unexpired term of Dan'l. Mulligan's contract, put in default, to wit:

First District—Repairing and keeping in repair the bridges, to H. C. Brown, principal, Spencer Field, Sr., security, at ($15,000) fifteen thousand dollars. New bridges to the same, same security, at five cents (5c.) per foot board measure.

Second District—Repairing and keeping in repair the bridges, to John Bietry, principal, B. S. Harrison, security, at ($14,000) fourteen thousand dollars. New bridges to the same, same security, at four (4) cents per foot, board measure.

Fourth District—Repairing and keeping in repair the bridges, to Ed. Burns, principal, and Wm. Henry, security, at ($5000) five thousand dollars. New bridges to the same, same security, at five cents (5c.) per foot, board measure.

I would respectfully ask your honorable body to annul the above sales and order a readjudication as soon as practicable, a misunderstanding having occurred, and the parties purchasing being under the impression that the price brought was for the unexpired term, say six months, while the sale should have been pro rata per annum.

I remain, yours respectfully,

J. O. LANDRY, Controller.

Mr. Montgomery, under a suspension of the rules, introduced the following resolution to cover the recommendation made by the controller. It passed its several readings unanimously, after which, on motion, it was transmitted to the Board of Aldermen for concurrence:

Resolved, That the controller be and he is hereby authorized to readjudicate the contracts for repairing and keeping in repair the bridges and crossings, and for building new bridges and crossings in the First, Second and Fourth Districts, city of New Orleans, for the unexpired term of Daniel Mulligan's contract, put in default.

The surveyor submitted the following communication, and after being read, the recommendation therein contained was adopted:

SURVEYOR'S OFFICE, ROOM NO. 19, CITY HALL, City of New Orleans, Dec. 14, 1868.

To the Honorable the Common Council Board of Assistant Aldermen:

Gentlemen—The contract entered into between the city of New Orleans and Dennis Cronan, on the 18th of December, 1867, for the repairing and running of the Bienville street draining machine for the term of one year, will expire on Thursday next, 17th inst.

I am sorry to have to report that the buildings, engines, boilers, etc., belonging to said Bienville draining machine will be left by the contractor in about as bad condition as they were when he took possession of them a year ago.

His attention was called several times to the fact he was not complying with the conditions of his contract, but without avail.

To protect the city I had to withdraw the issuing of his monthly certificates since July last; the contract was made at the rate of $15,100 a year, payable monthly, and then, as now, left in the hands of the city a sum of $7,062 50 which will be sufficient to make the work mentioned in the specifications, which has not been done by the contractor.

As no provision has been made by the Common Council to resell this contract, it is important in view of public interest, that I should at once be authorized by your honorable body, in conjunction with the committee on streets and landings, to take charge of said draining machine, have the necessary repairs done, and work it during the pleasure of the council.

I remain, respectfully,

Your obedient servant,

L. SURGI, City Surveyor.

The committee on streets and landings submitted the following report:

COMMITTEE OF STREETS AND LANDINGS, BOARD OF ASSISTANT ALDERMEN, City Hall, December 15, 1868.

To the Honorable the Board of Assistant Aldermen:

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

1. Upon the message of the mayor, September 14, 1868, returning without his approval the resolution passed by the Common Council at sitting September 1, 1868, approving adjudication made by the controller, under resolution No. 645, N. S, for paving Race street from Tchoupitoulas to Coliseum street, with the Nicolson pavement, and authorizing the mayor to enter into contract by notarial act with the "Southern Paving Company" as principal, and E. J. Hart & Co., securities, for paving said street with the Nicolson pavement at three dollars and fifty cents ($3 50) per superficial square yard, according to plans and specifications on file in the office of the city surveyor; your committee after careful examination of the objections set forth by his honor the mayor, and after consultation with the city attorney, beg leave to offer as a part of this report a communication from the city attorney to his honor the mayor; and recommend that the resolution be adhered to, the mayor's veto notwithstanding.

2. Upon the petition of Joseph Bonpart asking for the construction of a bridge across Claiborne canal at Port street, your committee report favorably and offer the necessary resolution for adoption.

3. Upon the resolution sent from the Board of Aldermen for concurrence, that the city surveyor be and he is hereby authorized to have the wharves and levees of the First, Second, Third and Fourth Districts put in perfect repair and condition, your committee report favorably.

4. Upon the controller's communication of November 17, 1868, relating to the adjudications of contracts for cleaning all the draining canals of the city per resolution No. 1046, N. S., your committee recommend the approval of the adjudications of ten of said contracts by said officer, the acceptance of the securities, and the mayor enter into contract with the parties for each contract, separately, per notarial act, viz:

1. A contract for digging Melpomene street canal, from Camp street to Dryades street, 20 feet at top, 10 feet at bottom and 7 feet deep, to John Mullroney as principal, and Wm. Henry as security, at one hundred and thirty-five dollars per acre.

2. A contract agreeably to resolution No. 1046, N. S., for cleaning Camp street canal, from Felicity Road to Clio street, 20 feet at top, 8 feet at bottom and 6 feet deep, to J. J. O'Hara, principal, securities G. Correjolles and E. A. Davis, at eighty-six dollars and fifty cents per acre.

3. A contract agreeably to resolution No. 1046, N. S., for cleaning Melpomene street canal, from Dryades to Claiborne streets, 30 feet wide at top, 16 feet at bottom and 7 feet deep, to John Mullroney, security Wm. Henry, at two hundred and fifty dollars per acre.

4. A contract agreeably to resolution No. 1046, N. S., for closing Carrollton Avenue Canal from New Canal to Canal street, 30 feet wide at top, 16 feet at bottom and 7 feet deep, to John Wolf, principal, J. A. Florat, security, at two hundred and fifteen dollars per acre.

5. A contract agreeably to resolution No. 1046, N. S., for closing Carrollton Avenue Canal from Canal street to Orleans street, 30 feet at top, 16 feet at bottom and 7 feet deep, to John Wolf, principal, J. A. Florat, security, at two hundred dollars per acre.

6. A contract agreeably to resolution No. 1046, for cleaning St. Bernard Avenue Canal from Broad street to Claiborne, 25 feet at top, 11 feet at bottom and 7 feet deep, to John F. Rust, principal, W. J. Goodman, security, at one hundred and forty-five dollars per acre.

7. A contract agreeably to resolution No. 1046, N. S., for cleaning Claiborne Street Canal from Esplanade to Elysian Fields street, 25 feet at top, 11 feet at bottom and 7 feet deep, to John Bietry, principal, B. S. Harrison, security, at one hundred and thirty dollars per acre.

8. A contract agreeably to resolution No. 1046, N. S., for cleaning Claiborne Street Canal from Esplanade to Orleans street, 25 feet at top, 11 feet at bottom and an average depth of 6 feet, to A. C. Brown, principal, S. Field, Sr., security, at one hundred and forty-five dollars per acre.

9. A contract agreeably to resolution No. 1046, for cleaning Claiborne Street Canal from Carondelet Canal to Palmyra street, 25 feet at top, 16 feet at bottom and an average depth of 3 feet, to Pat Mooney, principal, John McVittie, security, at ninety-five dollars per acre.

10. A contract agreeably to resolution No. 1046, N. S., for cleaning Carondelet walk Canal, from Galvez street to Hagan avenue, 15 feet at top, 3 feet at bottom, and 6 feet deep, to John F. Rust, principal, Thos. McKnight, security, at forty-five dollars per acre.

5. Your committee report adversely to the adjudications of the controller of the following contracts for cleaning the draining canals of the city, per resolution No. 1046, viz:

1. Contract No. 4, for cleaning Canal street canal, from Claiborne street to Hagan avenue, to H. McGuinn, security D. Cronan, Sr., at $365 per acre.

2. Contract No. 5, for cleaning Canal street canal, from Hagan avenue to St. Patrick street, to H. McGuinn, security D. Cronan, Sr., at $355 per acre.

3. Contract No. 6, for cleaning Galvez Canal, from New Canal to Carondelet Canal, to H. McGuinn, security D. Cronan, at $370 per acre.

4. Contract No. 7, contract for cleaning Broad street canal, from New Canal to Carondelet canal, to H. McGuinn, security D. Cronan, Sr., at $290 per acre.

5. Contract No. 8, cleaning Broad street canal, from Carondelet Canal to Esplanade street, to John F. Rust, security John McVittie, at $245 per acre.

6. Contract No. 9, cleaning Broad street canal, from Esplanade street to Marigny Canal, to Jno. F. Rust, security Pat. Gannon, at $235 per acre.

7. Contract No. 12, for cleaning Marigny Canal, from London avenue to Elysian Fields street, to John Bietry, security B. S. Harrisson, at $498 per acre.

8. Contract No. 13, for cleaning and digging Elysian Fields Canal, from Marigny Canal to Claiborne street, to John Wolf, security J. A. Florat, at $250 per acre.

9. Contract No. 15, for cleaning Orleans Canal, from Claiborne street to Bayou St. John, to J. F. Rust, security Thos. McKnight, at $195 per acre.

Said adjudications are entirely too high. A resolution rejecting said sales is presented for adoption, and authorizing the controller to readjudicate said contracts after five days' notice in the official journal.

W. W. WALKER,
G. PANDELY.

I concur in this report, with the exception of that portion relative to the Nicolson pavement.

GERALD FARRELL, Chairman.

Mr. Pandely here moved to defer action on that portion of the report referring to the draining canals.

Mr. Fisher moved to lay Mr. Pandely's motion on the table. The yeas and nays were called for, resulting in the defeat of Mr. Fisher's motion.

Yeas—Messrs. Rose, Aitkens, Walker, Fisher, Wynne and Breen.

Nays—Messrs. Kearny, Camp, Montgomery, Grandpre, Morphy, Pandely and Farrell.

Mr. Pandely's motion was then put and prevailed.

Mr. Fisher, before the vote was announced, asked permission to change his vote, which the board refused to grant.

The following communications from the city attorney, relative to paving Race street with Nicolson pavement, were read:

OFFICE CITY ATTORNEY, Room No. 13, City Hall, New Orleans, Oct. 22, 1868.

Hon. John R. Conway, Mayor of New Orleans:

Sir—I have the honor to report on the petition of the Southern Paving Company, which you have referred to me for my opinion:

Prior to the enactment of the statute of 1856, known as the "City Charter," and by the acts of 1832 and 1836, and the ordinances made by virtue of these acts, the city paid *one third* of the expense of paving the streets, and consequently, the councils were generally vested with a large discretion on this subject.

By the act of 1856, sections 119 and 120, a different system was adopted. The property holders were required to pay all the costs on the street paved, except the intersections, and the action of the Common Council is made *imperative*.

The property holders are to decide as to the "*character and quality*" of *said pavement*," and if a *majority* of property holders *do not oppose*, the Common Council *shall*, by resolution or otherwise, order said paving or banquetting so petitioned for, to be made, etc."

It appears to me, therefore, that the lawmakers intended, when the city ceased to pay one-third of the expense, that the property holders should be the sole judges of all questions connected with the pavements.

The city can safely leave to the parties paying costs, the power to select the kind of pavement they like best.

I think the terms of section 119, above referred to, *mandatory*.

I deem it my duty to state, that at a former period, I was the retained counsel of the Southern Paving Company, but that my connection with it has wholy ceased.

Very respectfully, HENRY J. LEOVY, City Attorney.

OFFICE CITY ATTORNEY, Room No. 13, City Hall, New Orleans, December 4, 1868.

The Honorable the Committee on Streets and Landings:

Gentlemen—I have received the papers referred to me in the matter of paving Race street. In answer I beg to refer you to the opinion expressed by me to the mayor on the same subject. I have again examined the matter and find no reason to change in any manner the opinion then given. Respectfully,

HENRY J. LEOVY, City Attorney.

The opinion to which I refer is marked B, and is inclosed in the papers on the subject.

The resolution vetoed by the mayor upon which subject the above communication treats was called for, and having been read, Mr. Fisher moved that so much of the report of the streets and landings committee as referred to paving Race street with Nicolson pavement, be adopted, and the mayor be allowed to withdraw his veto, on the grounds enumerated in the communication of the city attorney.

Mr. Breen moved to lay Mr. Fisher's motion on the table, and called for the yeas and nays. Mr. Breen's motion was defeated by the following vote:

Yeas—Messrs. Rose, Aitkens, Camp, Montgomery, Farrell and Breen.

Nays—Messrs. Kearny, Walker, Grandpré, Fisher, Morphy, Pandely and Wynne.

Mr. Fisher's motion was then put; the yeas and nays being called for, it was adopted with the following vote:

Yeas—Messrs. Kearny, Walker, Grandpré, Fisher, Morphy, Pandely, Wynne.

Nays—Messrs. Rose, Aitkens, Camp, Montgomery, Farrel and Breen.

The following resolution, accompanying the report of the streets and landings committee, was here read and unanimously adopted:

Resolved, That the city surveyor be and he is hereby authorized to construct or cause to be constructed a bridge across Claiborne canal, at the intersection of Port street.

The following resolution from the Board of Aldermen, reported upon favorably by the committee on streets and landings, of this board, was placed upon its second reading and concurred in, with the following vote:

Yeas—Messrs. Kearny, Aitkens, Walker, Montgomery, Fisher, Pandely, Wynne, Farrell and Breen.

Nays—Messrs. Rose, Camp, Grandpré and Morphy.

Resolved, That the city surveyor be and he is hereby authorized to have the wharves and levees of the First, Second, Third and Fourth Districts put in perfect repair and condition.

The following resolutions, received from the Board of Aldermen, were unanimously adopted on their several readings:

Resolved, That the surveyor be and he is hereby authorized and instructed to cause the necessary repairs to be made to engine house No. 8, provided the cost thereof does not exceed five hundred dollars.

Resolved, That the city surveyor be and he is hereby authorized to construct or cause to be constructed, flag crossings at the corner of Poydras and Delta, Gravier and Delta, and Lafayette and Delta streets, provided the cost of said work does not exceed five hundred dollars ($500); also, a flagged crossing on Tchoupitoulas street, at St. Mary's Market, provided it do not cost over $50.

WHEREAS, In view of the damages caused to the flooring of the wharves by vehicles of all description being driven upon the woodwork thereof: therefore—

Be it Resolved, That Article No. 1326 of Leovy's Digest, which has been repealed by ordinance No. 51, New Series, be and is hereby revived in full force and effect, and binding upon all parties contravening the same, or infringing, as expressed in said ordinance.

Resolved, further, All ordinances or parts of ordinances or resolutions or parts of resolutions in conflict with the above, be and the same are hereby repealed.

Resolved, That the surveyor be and he is hereby authorized to place or cause to be placed six gas lamps in the new extension of the Ninth Street Market.

The following report was submitted by the finance committee:

FINANCE COMMITTEE ROOM, No. 23 City Hall, New Orleans, Dec. —, 1868.

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

Gentlemen—Your committee beg leave to report as follows:

On the resolution authorizing the sale of the contract for the collection of licenses on all itinerant merchants, favorably.

On the resolution providing that the city shall not plead prescription in the case of J. M. Weymouth, relative to his claim of $500 against the city, should he think proper to test the same before the courts, favorably.

Concerning the licenses for the year 1869, your committee had hoped to report an ordinance making very considerable reductions on all licenses, believing, as we do, that the tax by license is unequal and oppressive and calculated to retard the material progress of the city's interest, but under the present embarrassed condition of the city treasury, we have prepared an ordinance with but small reductions in some cases and increase in a few others, believing that any radical reduction would not meet the sanction of both boards of the Common Council. We also recommend, in view of the fact that as in our opinion the licences are not fully collected in any year, and if collected by individuals directly interested a much larger sum could be realized to the city, that the collection of licences be farmed out for the year 1869, we offer resolutions accordingly.

On the subject of city money your committee have given their mature consideration. They have met with daily and hourly embarrassments in the settlement and liquidation of the city's indebtedness, owing to the depreciation of city money. Claims based upon losses made by contractors, and others of the creditors, have been pouring in upon the committee, and we must admit that nearly all of these possess merit in equity. Boundless litigation has arisen, and is daily growing out of the difference existing in the value between city money and United States currency, and it is evident to us that if the city continues to receive her issue at par with United States currency, and to pay it out at forty to fifty per cent. discount, (by the difference charged for contracts and for bills of merchandise purchased,) that an unnecessary loss is sustained, equal to, if not beyond, half a million dollars per annum.

We see no remedy for the embarrassed condition of the city's finances, except in the refusal to receive city money in payment of licences, taxes or other dues to the city, and it is with the greatest reluctance that we recommend this course for the action of the council. The issue of the city money was made by the city in good faith and accepted by the people in good faith, we admit, and has become a debt that should be acknowledged and eventually paid, not repudiated, but as the illegality of the issue is beyond any question and the enforcement of redemption would not be sustained by the courts, we deem it only proper for the city to take advantage of the position and postpone the redemption of her issue to some period when she could make more advantageous terms.

The credit of the city is very low, but if she continues to receive city money it will go still lower. The city owes nearly $500,000 past due interest coupons on consolidated and railroad debt, and $63,000 past due bonds of Second Municipality. This fact operates against the city credit, and it will be almost beyond redemption if she fails to meet the interest on her late loan.

Where, then, is she to get money to pay the $50,000 interest due on the million loan on 1st of April next, and $300,000, principal and interest, on 1st October next?

Sincerely wishing to contribute as much as it lies in their power towards the solution of these embarrassing questions, your committee offer with this report a resolution embodying their views on this subject, which they submit to your consideration.

Respectfully submitted,

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

The following resolutions accompanying the above report were read:

Resolved, That from and after the 1st of January, 1869, the treasurer and all others collecting or receiving money for the city of New Orleans are instructed to receive in payment of taxes, licenses, or any other dues, only United States currency.

Resolved, That within five days after the promulgation of the foregoing resolution, all of the money then in the city treasury known as city money shall be counted and destroyed in the manner prescribed in existing ordinances, and the treasurer is hereby forbidden to pay out any of said money, on any account whatever.

Mr. Pandely, objecting to the adoption of the above resolution, offered the following as a substitute:

Be it resolved, That the treasurer, controller and chairman of the finance committees be and they are hereby authorized and directed to destroy, or caused to be destroyed, in the manner prescribed in existing ordinances, all city notes now in the treasury; and that from and after the passage of this resolution, all city notes received into the treasury from any source of revenue whenever they shall amount to the sum of ($25,000) twenty-five thousand dollars, shall by the treasurer, controller and chairman of the finance committees be in like manner destroyed.

Be it further resolved, That from and after the passage of this resolution, the treasurer is directed to cease paying out city notes under any and all circumstances, and that all ordinances or parts of ordinances in conflict with these be and the same are hereby repealed.

Mr. Fisher here moved to lay the substitute on the table.

The yeas and nays were called for, resulting as follows:

Yeas—Messrs. Kearny, Rose, Walker, Pemberton, Camp, Grandpre, Fisher, Wynne, Farrell and Breen.

Nays—Messrs. Aitkens, Montgomery, Morphy and Pandely.

The substitute having been laid upon the table, Mr. Pandely called for a division of the question, and then moved to strike out the first section.

Mr. Fisher moved to lay Mr. Pandely's motion on the table, which motion prevailed, the yeas and nays being called resulting as follows:

Yeas—Rose, Walker, Pemberton, Camp, Grandpre, Fisher, Morphy, Wynne, Farrell and Breen.

Nays—Messrs. Kearny, Aitkens, Montgomery and Pandely.

Mr. Fisher here moved the "previous question." The yeas and nays were called, the chair put the motion, "Shall the previous question be now put," which resulted in the adoption of Mr. Fisher's motion.

The vote was then taken upon the adoption of the first section of the resolution, resulting as follows:

Yeas—Messrs. Rose, Walker, Pemberton, Camp, Grandpre, Fisher, Morphy, Wynne, Farrell and Breen.

Nays—Messrs. Kearny, Aiken, Montgomery and Pandely.

Mr. Pandely here made a motion to adjourn, which was lost.

The second section of the resolution was then read, and on motion, adopted viva voce.

Mr. Fisher moved for a suspension of the rules to put the resolutions on their second reading. The yeas and nays were called, resulting in the adoption of Mr. Fisher's motion.

Mr. Pandely moved to lay the resolution on the table. Lost upon a call of the yeas and nays.

Mr. Pandely moved to refer the subject to a special committee of four—one from each district.

Mr. Fisher moved to lay the motion on the table, which motion prevailed after a call of the yeas and nays was had.

Mr. Pandely moved to postpone further consideration of the resolution until next meeting. The yeas and nays were called, when Mr. Pandely's motion was lost.

Mr. Montgomery moved to adjourn. Upon a call of the yeas and nays the motion to adjourn was lost.

Mr. Fisher called the previous question on the adoption of the first section on its second reading, which motion, after the yeas and nays being called, prevailed.

The first section of the resolution was then adopted on its second reading, with the following vote:

Yeas—Messrs. Rose, Walker, Pemberton, Camp, Grandpré, Fisher, Morphy, Wynne, Farrell and Breen—10.

Nays—Messrs. Kearny, Aitkens, Montgomery and Pandely—4.

The second section coming up on its second reading, Mr. Pandely moved to lay on the table, which motion was lost.

The second section of the resolution was then adopted on its second reading with the following vote:

Yeas—Messrs. Rose, Walker, Pemberton, Camp, Montgomery, Grandpré, Fisher, Morphy, Pandely, Wynne, Farrell and Breen—12.

Nays—Messrs. Kearny and Aitkens—2.

Immediately upon the chair announcing the vote both Messrs. Pandely and Fisher claimed the floor.

The chair decided Mr. Fisher had the floor.

Mr. Pandely appealed from the chair's decision. The yeas and nays were called for, resulting in the decision of the chair being sustained.

Mr. Fisher moved a reconsideration of the vote by which the resolution had been adopted.

Mr. Rose moved to lay Mr. Fisher's motion on the table.

Which motion prevailed after a call of the yeas and nays was had.

The following resolutions, reported upon favorably by the finance committee, were read and on motion of Mr. Breen, action upon them deferred until the next regular meeting:

Resolved, That the controller be and he is hereby authorized to sell, after ten days notice in the official journal, the contract for collecting the licenses on all itinerant merchants, peddlers, agents, and all who sell merchandise by sample or otherwise, without any ostensible place of business for the space of one year, according to specifications from the finance committee.

Resolved, That the controller be and he is hereby authorized to adjudicate to the highest bidder, after five days' notice in the official journal, the collection of all licenses on trades, professions, etc., for the year 1869. The rate of license to be fixed by ordinance of the City Council before adjudication of the collection of same.

Mr. Fisher offered the following resolution, which was adopted:

Resolved, That when this board adjourns it will adjourn to meet on Friday evening next, at 6 o'clock, for the purpose of taking up and acting on the license ordinance proposed by the finance committee, as the special order of the day.

Mr. Montgomery offered the following resolution, which was adopted:

Resolved, That the secretary be authorized to cause to be printed fifty copies of the new license ordinance reported from the finance committee, and have the same distributed among the members of the Common Council before 17th inst.

The committee on education submitted the following report:

CITY HALL, New Orleans, Dec. 14, 1868.

To the Honorable the Board of Assistant Aldermen:

Gentlemen—Your committee on education, to whom were referred the preamble and resolution to authorize an exchange of lots belonging to the city of New Orleans for certain lots belonging to Mr. Richard Terrell, have examined both properties and have reached the following conclusions: The property of the city (three lots on the corner of Chippewa and Richard streets,) is worth about from $4500 to $6000, and possibly, in the opinion of one member of your committee, as much as $7000. The property of Mr. Terrell (two lots on Melpomene street, at the corner of Magnolia street,) is worth about $1500, and is at present assessed at $1000. The whole block, containing twenty-four lots, situated on Melpomene street, next below that in which these lots are, is assessed for $2500, being but little over $100 per lot. Your committee is therefore of opinion that the city of New Orleans would not be compensated by the further sum of $2700 offered, but would experience great loss by the exchange. They also are of opinion that the two lots on Melpomene street (65 by 95 feet) are entirely too small for the purposes of a schoolhouse. For the reasons as above expressed they have the honor to return the preamble and resolution for the further consideration of the council.

Very respectfully,

G. PANDELY, Chairman.
JOHN BREEN,
H. W. MONTGOMERY,
ALFRED KEARNY.

At the conclusion of the reading of the above reported, Mr. Pandely moved to reject the resolution report upon adversly by the committee, which motion prevailed.

The following resolutions were read and unanimously adopted on their several readings:

By Mr. Fisher—

Resolved, That the city surveyor be and he is hereby authorized and instructed to have flagged crossings made at the intersections of Miro and Ursulines streets, and at the intersection of Tonti and Ursulines streets.

By Mr. Breen—

Resolved, That the street commissioner be and he is hereby authorized to put new bridges at the square bounded by St. David, Liberty, First and Second streets, Fourth District.

By Mr. Fisher—

Resolved, That the committee on streets and landings be and they are hereby requested to investigate the condition of the various draining machines, and the manner in which the contracts for the past year have been complied with; and also to recommend measures for the continuance of the working of said machines.

The following resolution, offered by Mr. Farrell, was read and adopted on its several readings with the following vote:

Yeas—Messrs. Kearny, Rose, Aitkens, Walker, Pemberton, Morphy, Wynne, Farrell and Breen—9.

Nays—Messrs. Camp, Montgomery and Grandpré—3.

Resolved, That the adjudication by the controller of a contract for grading and shelling Constance street, from Josephine to St. Andrew street, distance one square, to Frank Marquez, as principal, and P. Irwin as security, for and in consideration of the sum of two dollars and nine cents 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 petition of Jeremiah Ryan, asking permission to erect a soap factory corner of Para and Dorgenois streets, was referred to the committee on improvements and buildings.

The petition of property holders in Faubourg La Course, asking that bridges be built in that section, was referred to the committee on streets and landings.

The petition of residents on St. Mary street, opposite Lafayette Square, praying that as there are two streets in the city called by that name, that the one on which they live be changed to "Church" street, was referred to the committee on streets and landings.

The petition of proprietors of coffee houses and drinking saloons, praying for the reduction of their licenses, was referred to the committee on finance.

The petition of the clerk of the Second District Court, asking for an appropriation for a new iron safe on account of the smallness of the present one, was referred to the committee on improvements and buildings.

The petition of the foreman of Perseverance Fire Company, No. 13, calling the attention of the council to the bad condition of their house, and asking that it be repaired, was referred to the committee on fires.

The petition of the foreman of Jackson Fire Company No. 18, asking that the engine house of said company be repaired, was referred to the committee on fires.

The board then adjourned to meet on Friday next at 6 o'clock P. M.

JOHN TOBIN, Secretary.

COMMISSION—FORWARDING.

JOHN T. HANDY & CO.—COMMISSION MERCHANTS, Wholesale Dealers in Wines, Liquors and Cigars, Store, No. 29 GRAVIER STREET, BETWEEN CAMP AND MAGAZINE—NEW ORLEANS. Consignments respectfully solicited.

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ATTORNEYS AT LAW.

LAW CARD.....LAW CARD. W. SCOTT BILLUPS, Attorney and Counselor-at-Law, BRENHAM, TEXAS. Special attention paid to Claims for Collection, and prompt returns made.

J. H. HALSEY—ATTORNEY AT LAW, No. 5 Carondelet Street, NEW ORLEANS.

TO INVENTORS. WILLIAM M. EGGLES, Attorney at Law, OFFICE, 113 NORTH THIRD STREET, ST. LOUIS, MO. Will solicit Patents, and prosecute Patent Suits, and old rejected claims. Expecting to reap our profits from such, we obtain patents on first application, for barely what it costs us; and having been in the business for some time, we are enabled to shape claims so as to avoid infringement. All business attended to promptly—advice free in all cases. Best of city references given when desired.

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OFFICIAL.

PETITION.....PETITION.

NEW ORLEANS, October 12, 1868.

To the Honorable Common Council of the City of New Orleans:

Gentlemen—The undersigned property holders and residents on the south side of Gravier street, in this city, respectfully represent that the grade of the street between Baronne and Dryades streets has been raised by order of the city nine or ten inches higher than the banquettes; is completely overflowed and for hours rendered impassible, so that the residents are confined to their houses if within, or prevented from reaching there if without, and entirely prevents all from passing that square until the accumulation of water passes off by the very imperfect drainage of that street.

Wherefore your petitioners pray that your honorable bodies will cause the grade of said banquettes to be raised to a proper level, and prevent the great inconvenience under which the citizens upon Gravier street are now labouring.

Commending our petition to your early and favorable consideration, we are very respectfully your obedient servants.

JN. GLAUDIN, corner Dryades and Gravier streets, 38 feet Gravier.
HUGH McCANN, 62 feet Gravier.
GUSTAVE KREN by C. KREN, 22 feet Gravier street.
SMITH ISARD, 26 feet Gravier street
FRANCOIS LACROIX, 26 feet Gravier street
Pro. MALVINA SUGEU, 26 feet Gravier street.
A. C. TREMOULET.
PIERRE CAUTEROU, 26 feet Gravier street.
Total number of running feet in petition, 228

TROTTOIRS EN BRIQUES, BORDES DE pierres, avec fosses en bois, sur le coté sud de la rue Gravier, entre Baronne et Dryades.

NOUVELLE-ORLEANS, 12 octobre 1868.

A l'Honorable Conseil Commun de la ville de la Nouvelle-Orleans:

Messieurs—Les soussignés, propriétaires et résidents du coté sud de la rue Gravier, en cette ville, représentent respectueusement que le niveau de la rue entre les rues Baronne et Dryades, a été haussé de neuf ou dix pouces au-dessus des banquettes, par l'ordre des autorités de la ville, en conséquence de quoi lorsqu'il pleut, les dites banquettes sont complètement inondées et sont impassables pendant des heures, forçant les résidents qui sont en leur domicile d'y rester ou ceux qui voudraient s'y rendre à attendre jusqu'à ce que l'eau s'écoule par les moyens très imparfaits de cette rue.

Ainsi maintenant vos pétitionnaires prient vos honorables corps d'ordonner que cette rue soit nivelée à sa propre hauteur et ainsi prévenir l'inconvénient sous lequel sont placés les citoyens de la rue Gravier.

Recommandant sérieusement notre pétition à votre favorable considération, nous sommes, très respectueusement vos serviteurs, etc.

JN. GLAUDIN, encoignure Dryades et Gravier, 38 pieds sur la rue Gravier
HUGH McCANN, 62 pieds rue Gravier.
GUSTAVE KREN, par C. Kren, 22 pieds.
SMITH ISARD, 26 pieds.
FRANCOIS LACROIX 26 pieds.
Pour Mme MALVINA SUGEU, 26 pieds.
A. C. TREMOULET.
PIERRE CANTEROU, 26 pieds
Nombre total de pieds dans la pétition 228.

PETITION.....PETITION.

NEW ORLEANS, Oct. 13, 1868.

To the Honorable the Common