ew Orleans Republican.
FICIAL JOURNAL OF THE UNITED STATES.
FICIAL JOURNAL OF THE CITY OF NEW OLEANS
FICIAL JOURNAL OF THE REPUBLICAN PARTY

TY COUNCIL--OFFICIAL.

BOARD OF ALDERMEN.

Regular Session.

NEW ORLEANS, February 4, 1868.

The Board met pursuant to adjournment. Present: President Graham, and Messrs. Burbank, Carriere, Clay, Dewees, Dumas, and Stapleton.

The minutes of the last meeting were read and adopted.

MAYOR'S MESSAGE.

The following message from the Mayor was received:

MAYORALTY OF NEW ORLEANS, City Hall, 21st Day of January, 1868.

To the Honorable the Board of Aldermen:

GENTLEMEN—I transmit herewith a letter from Judge A. M. Buchanan, City Attorney, in reference to the decision of the third district court in the case of Joseph H. Nesse, vs. the city of New Orleans.

Very respectfully,
E. HEATH, Mayor.

OFFICE CITY ATTORNEY, No. 13 CITY HALL, New Orleans, January 21, 1868.

E. E. Heath, Mayor:

SIR—Since the last meeting of the Common Council the suit of Joseph H. Nessel vs. the city of New Orleans has been tried before a jury in the third district court of New Orleans, and has resulted in a verdict of six hundred dollars damages in favor of the plaintiff. Nessel established a stab on the sidewalk at or close to the door of the plaintiff's store, for the vending of newspapers, periodicals, and stationery in the spring of 1866, and after due notice from the Street Commissioner in accordance with the city ordinances his stall, etc., were removed on instructions of the thoroughfare. He brought suit against the city for damages estimated by him at between seven and eight thousand dollars for loss of stock in trade, business, etc., and the result has been as above.

I have applied to the court for a new trial, which application is set for hearing on Monday, the 30th instant. I will observe that this verdict of the jury was in direct opposition to the charge of the court upon matters of law which were involved in the case.

Very respectfully,
A. M. BUCHANAN,
City Attorney.

The following message from the Mayor was referred to the Committee on Streets and Landings:

MAYORALTY OF NEW ORLEANS, City Hall, 20th Day of January, 1868.

To the Honorable Board of Aldermen:

GENTLEMEN—I have this day approved a resolution originating in your honorable board, authorizing the City Surveyor to purchase 15,000 barrels of oyster shells for the repair of Julia and Calliope streets, believing that repairs to the latter street were most necessary.

It must, however, have escaped the attention of the Council that in accordance with ordinance No. 836, new series, the building of the Julia street railroad will shortly be commenced, thereby necessitating the digging up of Julia street, and destroying the work intended to be performed by a portion of this resolution.

I therefore trust the City Surveyor will be instructed not to use any portion of these shells on Julia street for the present.

Upon a careful examination I have deemed it advisable to withhold my signature from the contract for building the "Julia street railroad," as I am convinced such a step would seriously interfere with the transaction of ordinary business should a railroad track be laid at that portion of Julia street running along the new basin landing.

I respectfully suggest that efforts be made to induce the lessees of this road to change the route of the proposed route as follows, viz: down Julia street to Liberty, along Liberty to Cypress, thence down Cypress to its intersection with Julia street.

I trust you will take such prompt action in this matter as its importance demands.

Very respectfully,
E. HEATH, Mayor.

The following message was received and the appointments therein named approved:

MAYORALTY OF NEW ORLEANS, City Hall, 20th Day of January, 1868.

To the Honorable the Board of Aldermen:

GENTLEMEN—The Controller having notified me of the failure of F. Cazeau to comply with the requirements of the law in the purchase of the contract for farming the revenues of the beef market, second district, and of John Weber in the purchase of the contract for farming the revenues of the Ninth Street market, I have appointed the following collectors for the balance of the month: Charles Hensman for the Ninth Street market, Charles L. Boudousquie for the Beef market, and Louis Loring assistant for the Beef market, and respectfully ask your approval of the same.

Very respectfully,
E. HEATH, Mayor.

The following message was read and received:

MAYORALTY OF NEW ORLEANS, City Hall, February 3, 1868.

To the Honorable the Board of Aldermen:

GENTLEMEN—Herewith I inclose for information a communication from Judge A. M. Buchanan, City Attorney, by which it will be seen that the third district court have granted a new trial in the case of Joseph H. Nessel vs. the city of New Orleans.

Very respectfully,
E. HEATH, Mayor.

OFFICE CITY ATTORNEY, No. 13 CITY HALL, New Orleans, February 3, 1868.

Hon. E. Heath, Mayor:

SIR—I have the honor to inform you that a new trial has been granted by the third district court of New Orleans upon the application of the city in the suit of Joseph H. Nessel vs. the city of New Orleans, from the verdict of the jury which tried the case, and which verdict was for six hundred dollars damages against the city. That verdict has thus been determined by the court to have been contrary to the law and the evidence, inasmuch as it was proved that the plaintiff was the aggressor in the affray, and that the Street Commissioner and officers of police acted in strict conformity to the ordinance in removing the obstruction. The charge of his honor the judge of the district court sustains the correctness of the doctrine of the last decisions of the supreme court on the subject, and is very important.

I think I have already informed your honor that the third district court has postponed the foreclosures against the schools by the constable of the fifth justice of the peace of the parishes in the Second circuit offices in the City hall, and of the horses of the "Black Maria," in a number of suits in the latter court, in execution of judgments against the city.

If these efforts stayed have not been restored, please notify the constable who made the seizures to restore them. I have directed my clerk to file a certificate of the judgment of the district court in the Justice's office.

Very respectfully,
A. M. BUCHANAN,
City Attorney.

COMMUNICATIONS FROM OFFICERS OF THE CITY.

The following communications from the City Surveyor were read:

SURVEYOR'S OFFICE, City of New Orleans, January 8, 1868.

To the Honorable the Common Council, Board of Aldermen:

GENTLEMEN—I would respectfully call your attention to the immediate necessity of repairing the levees of Poland street, in the Twenty-second ward, the levees and bulkheads having caved in, leaving the levee a general wreck. I would also state that the cave at post No. 11, Bend Harris, opposite Clover street, requires immediate attention to arrest the constant alteration of the bank; the line of break is now very near the curbstone of the square block street. The above repairs should be made without delay, as the rise of six feet in the river during the last thirty days, and strong winds on shore, cause considerable washings to the unprotected banks.

Very respectfully
Your obedient servant,
W. H. BELL,
City Surveyor.

SURVEYOR'S OFFICE, CITY HALL, New Orleans, January 7, 1868.

To the Honorable the Common Council, Board of Aldermen:

GENTLEMEN—I would respectfully recommend that a tail race canal be opened from the rear of the Blenville street draining machine along the Bayou St. John to Orleans street, thence out Orleans street to the draining canals now open through the park. I would also suggest that as the foundations are complete for another wheel, machinery, and boilers at the London avenue machine, that the same be completed; and the old draining machine at the junction of Bayou St. John and Orleans street be dispensed with, and the property, buildings, and machinery be sold.

The above measures, if carried out, would tend in a few months to abate the intolerable nuisance now caused by the great stench arising from the putrid waters of the Bayou St. John, made so by the foul waters thrown into it from the two draining machines located upon its banks.

I remain, gentlemen,
Your obedient servant,
W. H. BELL,
City Surveyor.

COMMUNICATIONS FROM BOARD OF ASSISTANT ALDERMEN.

The following communications from the Board of Assistant Aldermen were received for concurrence, and under a suspension of the rules were read twice and concurred in by the following vote:

Resolved, That the City Surveyor, under the supervision of the Committees of Streets and Landings of both Boards of the Common Council, be and he is hereby authorized to employ such machinery and such number of laborers and mechanics, and purchase such material as may be required to repair and put in order the levees and bulkheads of third district in the vicinity of Poland and Clouet streets.

Yeas: President Graham, and Messrs. Burbank, Carriere, Clay, Dewees, Dumas, and Stapleton.

Nays: None.

Resolved, That the Controller be and he is hereby authorized to advertise during ten days in the official journal for sealed proposals for cleaning the sinks of the public buildings of the city of New Orleans, according to specifications on file in the Street Commissioner's office.

Yeas: President Graham, and Messrs. Burbank, Carriere, Clay, Dewees, Dumas, and Stapleton.

Nays: None.

Resolved, That the Mayor be and he is hereby authorized to enter into contract on behalf of the city of New Orleans, before the City Notary, with Louis Muh, for the lease of the property now occupied as an insane asylum, for the term of one year from the 25th day of January, 1868, at two hundred dollars per month, payable monthly.

Yeas: President Graham, and Messrs. Burbank, Carriere, Clay, Dewees, Dumas, and Stapleton.

Nays: None.

Resolved, That the Treasurer be and he is hereby instructed to pay to Louis Muh whatever amount may be due him up to December 25, 1867, on account of rent by the city of the property occupied as an insane asylum.

Yeas: President Graham, and Messrs. Burbank, Carriere, Clay, Dewees, Dumas, and Stapleton.

Nays: None.

Resolved, That the Mayor be and he is hereby authorized to enter into contract on behalf of the city of New Orleans, before the City Notary, with Louis Muh, for the lease of the property now occupied as an insane asylum, for the term of one year from the 25th day of January, 1868, at two hundred dollars per month, payable monthly.

Yeas: President Graham, and Messrs. Burbank, Carriere, Clay, Dewees, Dumas, and Stapleton.

Nays: None.

Resolved, That the Treasurer be and he is hereby instructed to pay to Louis Muh whatever amount may be due him up to December 25, 1867, on account of rent by the city of the property occupied as an insane asylum.

Yeas: President Graham, and Messrs. Burbank, Carriere, Clay, Dewees, Dumas, and Stapleton.

Nays: None.

Resolved, That the following estimate of the expenditures of the city of New Orleans for the year ending December 31, 1868, be, and the same is hereby adopted:

Probable receipts of the city of New Orleans for the year 1868:

Public schools	$ 20,000 00
House of Refuge (boys)	20,000 00
Real estate tax for 1867	1,300,000 00
Personal estate tax for 1867	40,000 00
Consolidated tax, $1,000,000—interest on railroad bonds—$720,000	280,000 00
Cemeteries	12,000 00
Work houses	15,000 00
Street railroads	60,000 00
Outlegnal	20 00
Free National bank	2,500 00
Ground rents	9,000 00
Interest	30,000 00
Law charges	2,000 00
Levee dues	500,000 00
Markets	30,000 00
Bills receivable	40,520 00
Bills receivable past due	8,480 00
Power inspection	1,000 00
Printing	4,000 00
Public parks	9,000 00
Recorders' surplus	45,000 00
City waterworks	50,000 00
Licenses	1,700,000 00
Taxes in arrears	300,000 00
State of Louisiana, (consolidated tax)	15,000 00
United States, (paving Julia street)	7,000 00
Real estate, (cash sale of property)	200,000 00
	$3,631,001 20

Probable expenditures of the city of New Orleans for the year 1868:

Avegno & Willes	$ 21,007 80
Public schools, (white and colored	240,000 00
House of Refuge, (boys and girls)	25,000 00
Charity	40,000 00
Cemeteries	2,000 00
Workhouse	15,000 00
Commission	5,000 00
Contingents	75,000 00
Draining	40,000 00
Jury service	20,000 00
Judgments	25,000 00
Law charges	24,000 00
Markets, (repairs and painting)	20,000 00
Opening streets	10,000 00
Peters property, (to pay note)	3,000 00
Printing	12,000 00
Police	400,000 00
Public parks	2,000 00
Public squares	10,000 00
Redemption taxes	3,000 00
Salaries	200,000 00
Streets	225,000 00
Sinkers and levees	50,000 00
Canal bridges	20,000 00
Parish prisons	20,000 00
Courts	5,000 00
Elections	2,000 00
Fire alarm telegraph	4,000 00
Gas and water	120,000 00
Levee system	30,000 00
Lighting	195,000 00
Public buildings	10,000 00
Stationery	6,000 00
Street railroads	60,000 00
Redemption of city notes for six months from first February, 1868	608,800 00
Outstanding warrants	91,025 17
	$3,634,842 17

Yeas: President Graham, and Messrs. Burbank, Dewees, Dumas, and Carriere.

Nays: None.

The following were concurred in on their first reading:

Resolved, That permission be and the same is hereby granted to Messrs. Baltimore & Duplois to erect a steam engine at No. 8 Spain street, third district, the same to be erected in accordance with existing laws and ordinances, and to remain during the pleasure of the Common Council.

Resolved, That the City Controller be and he is hereby authorized, after ten days notice in the official journal, to sell to the lowest bidders contracts for cleaning the draining canals of this city.

2. That for this purpose the draining canals of this city be divided into three sections, as follows:

Section 1. To include all the draining canals from the upper limit of the city to the New Canal.

Sec. 2. To include all the draining canals from the New Canal to Canal Carondelet.

Sec. 3. To include all the draining canals from Canal Carondelet to lower limits of the city. The contracts for cleaning said sections to be sold separately; the work to be done according to specifications to be furnished by City Surveyor.

The following were referred to the Committee on Streets and Landings:

Resolved, That the Controller be and he is hereby authorized to advertise for five days in the official journal to sell a contract to the lowest bidder for making brick sidewalks, with curbstones and wooden gutters, on Blenville street (both sides), from Dorgenois to Broad street according to specifications on file in the office of the City Surveyor.

Resolved, That the City Surveyor be and he is hereby authorized to make the necessary repairs to the nuisance wharves, said repairs to be made under the supervision of the Committee on Streets and Landings, and that for this purpose authority is hereby granted to the City Surveyor to employ such machinery and as many men as may be necessary.

The following was referred to the Committee on Finance:

WHEREAS, The New Orleans and Carrollton railroad company have sold to Messrs. Henry Kern and B. Fellman all the right, title, and interest to a certain lot of ground in the square bounded by Poydras, Baronne, Perdido, and Penn streets, and transferred to them the usufruct acquired from the city by act passed before Felix DeArmas, notary public, on the 18th of July, 1859; therefore

Be it resolved, That Henry Kern and B. Fellman be and they are hereby authorized to erect a brick building of three stories, with iron front to the first story, on the lot belonging to the city of New Orleans, in the square bounded by Perdido, Baronne, Poydras, and Penn streets, measuring sixty-two feet nine inches on Baronne street, seventy-four feet six inches front on Penn street, sixty-eight feet four inches in depth on the side line nearest Poydras street, and seventy-eight feet in depth on the side line, according to the plans and specifications to be submitted to and approved by the City Surveyor.

Be it further resolved, That if the City Surveyor shall on completion of the above building approve its construction, the city of New Orleans will after the expiration of the present charter of the New Orleans and Carrollton railroad company, to wit: on the 9th of February, 1883, purchase from Henry Kern and B. Fellman the buildings erected by them on the lot to be fixed by four appraisers, two to be selected by each party, and in case of disagreement will appoint an umpire, whose decision will be final.

Be it further resolved, That the Mayor is authorized to enter into any notarial act necessary to the execution of this resolution.

The following was postponed, and made the order of the day for the next regular meeting:

Resolved, That the Mayor be authorized to pass an act before the City Notary, with Mr. S. Johnson, "to which act Mr. John Petit, the security and partner of Mr. Johnson, will be a party," to cancel and annul a certain contract made on the 12th day of February, 1867, by act before J. W. Castell, notary public, by John T. Monroe, then Mayor of the city of New Orleans, with the said S. Johnson, for the building of an asylum for French orphans, under the will of Nicholas Girod, and that the Mayor be further authorized to pay to said S. Johnson the sum of twelve thousand dollars, in full discharge and release of all claims of the said S. Johnson against the city of New Orleans, by virtue of and growing out of the said contract, and of all damages for the cancelling of the same. In consideration of which payment, the said S. Johnson and the said John Petit shall jointly and severally warrant the city of New Orleans against all claims and demands of workmen and materials, and of whatsoever nature for work and labor done or materials furnished in and for the construction of the said "Girod asylum" to the said contractor, S. Johnson, and against the claims of all subcontractors; and

Be it further resolved, That the twelve thousand dollars to be paid as aforesaid shall be charged by the Controller to the "Girod fund."

Be it further resolved, That all the material on the ground shall belong to the said S. Johnson.

The following was not concurred in:

An ordinance referring to the expenses of the city government.

The following was concurred in:

Resolved, That the Board of Aldermen be and is hereby invited to meet this Board in joint session on Tuesday next, at 8 o'clock, to elect a recorder for the second district of this city, made vacant by the decision of the supreme court.

And the Board proceeded to the hall of the Board of Assistant Aldermen to

JOINT SESSION.

(See proceedings Board of Assistant Aldermen.)

The Board having returned to their hall, adjourned until Tuesday next, at seven P. M.

HUGH J. CAMPBELL,
Secretary.

BOARD OF ASSISTANT ALDERMEN.

Regular Meeting.

CITY HALL, NEW ORLEANS, February 4, 1868.

The Board met in regular session.

Present: Messrs. Sterry, Sampson, Perkins, Mary, Davies, Theran, Dunn, Straight, Sauvinet, and Joubert.

On motion of Mr. Straight, Mr. Sauvinet was elected president pro tem.

The reading of the minutes of the previous meeting was, on motion of Assistant Alderman Perkins, dispensed with.

COMMUNICATIONS FROM CITY OFFICERS.

The following communication from the Mayor, and accompanying documents from Headquarters Fifth Military District, were received:

MAYORALTY OF NEW ORLEANS, City Hall, 27th Day of January, 1868.

To the Honorable the Board of Assistant Aldermen:

GENTLEMEN—I transmit herewith communication from Major General W. S. Hancock, commanding fifth military district, in reference to the proposed election by the honorable Council of a Recorder of the second district of the city.

Very respectfully,
E. HEATH, Mayor.

HEADQUARTERS FIFTH MILITARY DISTRICT, Office of Secretary for Civil Affairs, New Orleans, La., January 25, 1868.

Mayor E. Heath, New Orleans, Louisiana:

SIR—The attention of the major general commanding having been called to a resolution of the Board of Assistant Aldermen of the city of New Orleans, adopted on the 21st instant, relative to an election of Recorder of the second district, I am directed by him to inform your honor of the provisions contained in the first and second sections of the supplementary reconstruction act of Congress, passed July 19, 1867, and to paragraph two of special orders No. 7, from these headquarters, dated March 2, 1867, copies of which are herewith inclosed.

Very respectfully,
Your obedient servant,
R. CHANDLER,
Captain 15th Infantry, Assistant Secretary Civil Affairs.

AN ACT supplementary to an act entitled "An act to provide for the more efficient government of the rebel states," passed on the 23 day of March, 1867, and the act supplementary thereto, passed on 22d day of March, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to have been the true intent and meaning of the act of the 24 day of March, 1867, entitled "an act to provide for the more efficient government of the rebel states," and of the act supplementary thereto, passed on the 23d day of March, in the year 1867, that the governments then existing in the rebel states of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas, were not legal state governments; and that thereafter said governments, if continued, were to be continued subject in all respects to the military commanders of the respective districts, and to the paramount authority of congress.

SEC. 2. *And be it further enacted*, That the commander of any district named in said act shall have power, subject to the disapproval of the general of the army of the United States, and to have effect till disapproved, whenever in the opinion of such commander the proper administration of said act shall require it, to suspend or remove from office, or from the performance of official duties and the exercise of official powers, any officer or person holding or exercising, or professing to hold or exercise, any civil or military office or duty in such district under any power, election, appointment or authority derived from, or granted by, or claimed under, any so-called state or the government thereof, or any municipal or other division thereof, and upon such suspension or removal such commander, subject to the disapproval of the general as aforesaid, shall have power to provide from time to time for the performance of the said duties of such officer or person so suspended or removed, by the detail of some competent officer or soldier of the army, or by the appointment of some other person, to perform the same, and to fill vacancies occasioned by death, resignation, or otherwise.

HEADQUARTERS FIFTH MILITARY DISTRICT, New Orleans, La., March 26, 1867.

Special Orders No. 7.

2. It is hereby announced for the information and guidance of all concerned that no elections for State, parish, municipal, or judicial offices, will be held in the State of Louisiana until the provisions of the laws of Congress entitled "An act to provide for the more efficient government of the rebel States," and of the act supplemental thereto, shall have been complied with, and that elections are held in accordance with those acts the law of the Legislature of the State of Louisiana, approved March 16, 1867, which provides for the continuance in the performance of their duties of those persons whose term of office would otherwise have expired, will govern all cases except those which may be specially acted upon at these headquarters.

By command of Major General P. H. Sheridan:

GEORGE L. HARTSUFF,
Assistant Adjutant General.

Official:
NATHANIEL BURNHAM,
Second Lieut., Thirty-seventh Infy, Acting Assistant Adjutant General.

The following from the Mayor was referred to the Committee on Streets and Landings:

MAYORALTY OF NEW ORLEANS, City Hall, 27th Day of January, 1868.

To the Honorable the Board of Assistant Aldermen:

GENTLEMEN—Numerous complaints have been made by shipmasters of the first and fourth districts of damages caused to the shipping by steamboats running so close as to break their "fasts," and disarrange their staging; besides doing serious injury to the wharves.

I therefore recommend the passage of an ordinance prohibiting steamboats from passing within one hundred yards of the shipping, under a penalty of not less than one hundred dollars for such offence.

Very respectfully,
E. HEATH,
Mayor.

The following, also from his honor the Mayor, was read, and the action of the Mayor approved:

MAYORALTY OF NEW ORLEANS, City Hall, 6th Day of February, 1868.

To the Honorable the Board of Assistant Aldermen:

GENTLEMEN—Messrs. F. Cazeau and John Weber having failed to comply with the requirements of the law in purchase of the contracts for farming the revenues of the beef and Ninth street markets, I appointed, on the 20th ultimo:

Mr. Charles Hensman, collector of the Ninth street market.

Mr. Charles L. Boudousquie, collector of the beef market.

Mr. Louis Loring, assistant collector of the beef market.

In accordance with ordinance No. 1606, old series, the Controller readjudicated the contracts for farming the revenues on the 25th ultimo. As the time for which these contracts were sold commenced on the 1st instant, I authorized the Controller forthwith to collect the revenues from that date, (they having deposited in the hands of the City Notary the amount due from February,) and respectfully ask your approval of my action.

Very respectfully,
E. HEATH, Mayor.

Two reports from the Treasurer—one for the week ending 25th January, 1868, showing a balance on hand of $374,852 34, and the other for the week ending 31st January, 1868, reporting his balance $319,017 03, were referred to the Finance Committee.

The Controller's statement of checks drawn by the Treasurer during the week ending January 28, 1868, and February 1, 1868, the former amounting to $22,564 70, the latter to $11,670, were referred to the same committee.

The following from the same officer was referred to the Finance Committee:

CONTROLLER'S OFFICE, CITY HALL, New Orleans, January 29, 1868.

To the Honorable the Common Council:

GENTLEMEN—I have the honor to inform you that I have on Saturday, 25th inst., adjudicated the contracts for farming the revenues of beef market, second district, and Ninth street market, fourth district, for a term of eleven months, commencing February 1, 1868, as follows: Beef market to A. Dumestre for $44,600; security G. Destillon; Ninth street market to Jacob Veith for $2700; security Adam Gaiser. On the same date I also adjudicated the contract for making a banquette around "Kellar market" to J. H. Keller for $15 per running foot; security J. H. Gerding.

All of which is respectfully submitted.

D. E. MANDELL,
Controller.

The following from the Controller was, on motion of Mr. Joubert, laid on the table:

CONTROLLER'S OFFICE, CITY OF NEW ORLEANS, City Hall, 6th Day of January, 1868.

To the Honorable the Common Council:

GENTLEMEN—I herewith transmit copies of resolutions, marked respectively A and B, received by me to-day from the Secretary of the Board of Assistant Aldermen. I have the honor to inform you that I will not comply with these resolutions. I do not recognize the Finance Committees as the legislative power of the city government, and am not aware of any law, state or municipal, which requires the Controller to comply with a resolution of that body. The city charter defines the duties and powers of each officer and branch of the government, and more particularly the legislative power, which is alone vested in the Common Council. Of the reason which prompted the Finance Committees to reject all the bids for printing the Controller's semi annual report for the six months ending December 31, 1867, I have nothing to say; they alone can enlighten you on that point. These bids were solicited by me and forwarded to the Finance Committees. They were as follows: for printing and binding, say two hundred copies, *Picayune* $850; *Commercial Bulletin* $862; *New Orleans Times* $798. The resolution of the Finance Committee in relation to the payrolls is in direct opposition to the opinion of some of its members, expressed in my presence. My object, which the Finance Committees seem to set aside, is to have monthly rolls made by each department of the city government, and have the rolls charged to their respective departments, so that at a glance it could be ascertained the amount expended in each department.

The subjoined bill has erisled between the Finance Committees and myself, has, in my opinion, extent, delayed necessary action in the city's affairs, and I appeal to your honorable body to prevent the occurrence of these official imbroglios, which are anything but pleasing to me.

Respectfully submitted,
D. E. MANDELL,
Controller.

FINANCE COMMITTEE ROOM, CITY HALL, New Orleans, January 29, 1868.

D. E. Mandell, Esq., Controller:

SIR—I am directed by the Finance Committees to send you the following copy of a resolution adopted at their meeting last night.

Very respectfully,
Your obedient servant,
(Signed) C. E. CARR,
Secretary.

Resolved, That it shall be the duty of the City Controller to make out the monthly payrolls of officers of the city of New Orleans, and to send the same to the room of the Finance Committees for approval.

A true copy from the minutes of January 27, 1868.

(Signed) C. E. CARR,
Secretary.

A true copy:
C. BLACK, Sr., Clerk.

(Copy.)

CITY OF NEW ORLEANS, City Hall, 28th Day of January, 1868.

D. E. Mandell, Esq., Controller:

SIR—I am instructed by the Finance Committees to inform you that they have rejected the proposals of the *Picayune*, *Bulletin*, and *Times* newspapers for printing and binding the semi-annual report of the Controller for the six months ending December 31, 1867, contained in your letter of the fourteenth instant, and also to transmit to you the following copy of a resolution adopted by the committees at their session of last evening.

Very respectfully,
Your obedient servant,
(Signed) C. E. CARR,
Secretary.

A true copy:
C. BLACK, Sr., Clerk.

Resolved, That the Controller be and he is hereby authorized to advertise for three (3) days in the official journal for sealed proposals for printing and binding two hundred copies of the Controller's report for the six months ending December 31, 1867, reserving the right to reject any and all proposals.

A true copy from the minutes of January 27, 1868.

(Signed) C. E. CARR, Secretary.

The following from the Street Commissioner was received and the appointment therein made approved:

STREET COMMISSIONER'S DEPARTMENT, Room No. 7 City Hall, New Orleans, February 4, 1868.

To the Honorable Common Council, City of New Orleans:

GENTLEMEN—I have the honor to inform you that I have this day appointed Mr. John B. Finch Assistant Deputy Street Commissioner for the eleventh ward, vice G. J. Schreiber, resigned on the 20th ultimo, and ask that his appointment be approved.

Very respectfully,
Your obedient servant,
WILLIAM BAKER,
Street Commissioner.

The following from the same officer was referred to the Committee on Streets and Landings:

STREET COMMISSIONER'S DEPARTMENT, Room No. 7 City Hall, New Orleans, February 4, 1868.

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

GENTLEMEN—I have nothing of importance to report to you touching this department for the past month. The number of men employed was much smaller than has been employed for many years by this department for cleaning the public streets.

There is much need of repairs on many of the streets paved with round stone, more especially in the first district near the great centre of trade, between Julia and Canal streets. At the present time the city has no ballast nor paving sand on hand for that purpose, and I have been unable to attend to it in consequence.

Many of the round stone paved streets through which the right of way has been lately given to railroad companies have been very imperfectly replaced; in some places they are nearly impassable from this cause. If I am to be held responsible for the condition it will be necessary that this department be furnished with the necessary material to make such repairs as these companies may neglect. Your honorable body should lose no time in providing for the cleaning of the drinking canals, both as a matter of public health and economy, for if the proper season for the performance of the work is allowed to pass by, it will be hard to count the cost in life and money, besides which the work of this department will be rendered so much easier.

For the winter months, and during the cold weather, I have ordered the dumping the offal from private houses at the head of St. Joseph and Orange streets, for the purpose of filling up the batture.

Very respectfully,
WILLIAM BAKER,
Street Commissioner.

The following from the City Surveyor was referred to the Committee on Streets and Landings:

SURVEYOR'S OFFICE, City of New Orleans, January 28, 1868.

To the Honorable Common Council, Board of Assistant Aldermen:

GENTLEMEN—I would respectfully recommend that a tail race canal be opened from the rear of the Blenville street draining machine along the Bayou St. John to Orleans street, thence out Orleans street to the draining canals now open through the park. I would also suggest that as the foundations are complete for another wheel, machinery, and boilers at the London avenue machine, that the same be completed, and the old draining machine at the junction of Bayou St. John and Orleans street be dispensed with, and the property, buildings, and machinery be sold.

The above measures, if carried out, would tend in a few months to abate the intolerable nuisance now caused by the great stench arising from the putrid waters of the Bayou St. John, made so by the foul waters thrown into it from the two draining machines located upon its banks.

I remain, gentlemen,
Your obedient servant,
W. H. BELL,
City Surveyor.

A report from Mr. Juste Trudeau, Superintendent Insane Asylum, showing total number of inmates during month of January, 1868, 194, was referred to Police and Health.

REPORTS FROM STANDING COMMITTEES.

The following from the Finance Committee was received:

FINANCE COMMITTEE ROOM, City Hall, New Orleans, January 28, 1868.

To the Honorable the Board of Assistant Aldermen:

GENTLEMEN—The Finance Committee have the honor to report upon the following subjects referred to them:

On the claims of Page, Bradford & Co., for disinfectants furnished to the city of New Orleans (in accordance with the adjudication by the Controller) during the months of July, August, September, October, and November, 1867, amounting to the sum of seven hundred and thirty-nine dollars and fifty-two cents ($739 52), favorably by resolution.

On the letters of T. L. Morris and John C. Henderson and John M. Howell, protesting against the award of the contract for signing city notes to employes in the Controller's office, your committee would state that there being no contract in relation thereto they thought proper to give the signing of the notes to those who offered to do so at the lowest rates, Messrs. Brower, Hart, and Howell, who perform the duty out of office hours.

On the communication of the Major General commanding the fifth military district, dated January 27, 1868, addressed to the City Treasurer, and by him referred to your committee, relative to the extension of the time for the collection of city licenses to the first of March, 1868, they submit the accompanying resolution, and recommend its adoption.

They also report the following resolution relating to requisitions and applications for requisitions by the heads of departments for supplies and materials to be furnished for the use of the city.

On the petition of keepers of groceries and coffeehouses, favorably by resolution.

Respectfully submitted,
B. P. JOUBERT,
Pro Tem. Chairman Finance Committee.
ARISTIDE MARY,
C. C. SAMPSON.

The three following resolutions accompanying the report were read twice under suspension of the rules, and adopted unanimously:

Resolved, That the Controller warrant on the Treasurer in favor of Page, Bradford & Co. for the sum of seven hundred and thirty-nine dollars and fifty-two cents, ($739 52), in full payment for disinfectants furnished by them to the city of New Orleans during the months of July, August, September, October, and November, 1867.

Resolved, That Ordinance No. 818, new series, be and the same is hereby amended so as to read as follows: "All keepers of groceries selling liquor by the glass, and coffeehouses, shall pay a license of $250, instead of $300, per annum."

Resolved, That, in view of the financial depression which now prevails in the city of New Orleans, the time for the collection of city licenses and taxes on professions, callings, etc., free from salaries, be and the same is hereby extended to the 1st of March, 1868.

Resolved further, That all ordinances or parts of ordinances in conflict with the above resolution, be and the same are hereby repealed.

Action was postponed on the following resolution accompanying the same report:

Resolved, That hereafter all applications for requisitions from the heads of departments for supplies and materials to be furnished (except those under contracts) shall be presented to the Finance Committees of the Common Council, who may insert therein the names of those from whom purchases for the city of New Orleans shall be made.

Resolved, That the City Controller be and he is hereby instructed to fill out the requisitions as the Finance Committees shall direct, and send the same to their room for approval.

Resolved further, That all ordinances or parts of ordinances inconsistent with the above resolutions be and the same are hereby repealed.

The following from the Committee on Streets and Landings was received:

COMMITTEE OF STREETS AND LANDINGS, Board of Assistant Aldermen, City Hall, February 4, 1868.

To the Honorable the Board of Assistant Aldermen:

GENTLEMEN—Your committee have the honor to report upon the following subjects referred to them:

Upon the communication of the City Surveyor stating that Frank Marquez, contractor for building shellroads on Constance, First, Eighth, and Ninth streets, had failed to comply with the specifications of his contracts, and that said contractor had up to the date of the City Surveyor's communication failed to repair the roads in a proper manner, and that said contractor had disregarded repeated notifications from the surveyor to make needed repairs. Your committee would report that on the 24th ultimo they made a careful inspection of Constance, First, Eighth, and Ninth streets, comparing the work with the specifications under which the contracts were sold and executed.

The specifications for all these roads require a coating of twelve inches of good shells well rolled with a 6000 pounds roller, so that when well compressed and made solid there should be a thickness of six inches of shells, and that they be maintained for one year in perfect good repair and condition at the expense of the contractor, ten per cent of the amount paid by the city for building these roads to be retained in the city treasury in guarantee of the faithful performance on the part of the contractor of this portion of his contract.

From the appearance of Constance street the four blocks from Calliope to Melpomene streets were fairly constructed, approximating nearly to the requirements of the specifications, but this portion of the road can not be considered to be in good and proper repair and condition necessary when a road is to be turned permanently over to the city until it is first furnished with a coat of two inches of shells, as directed by the City Surveyor. That portion of the road from Melpomene to Race street has the appearance of never having been so well constructed as the portion above mentioned, as there are several bad places in it, but had the requirements of the City Surveyor to put on this part of the road three inches of good shells been complied with it would be in good order. The action of the City Surveyor in refusing to receive this road from the contractor, and to issue to him the certificate for the ten per cent retained in guarantee was proper and right, and as it is the Surveyor's duty to examine, and upon his judgment to receive or reject the work upon this and all new roads, and thus protect the interests of the city, his action in this matter was the only course by which the city's rights could be secured.

Since making the examination of Constance street, we are informed by the City Surveyor that the contractor has reconsidered his action in the matter of bringing suit to compel the issuing of the certificate for ten per cent retained, and that said contractor is now making the repairs called for. We, therefore, recommend that the matter be still left in the hands of the City Surveyor, and action on the part of the Common Council be suspended for the present.

The shellroads on First, Eighth, and Ninth streets are generally in bad order, clearly showing from their present appearance that they were not faithfully built according to specifications, and that they have not been "kept in perfect good repair and order." Their present condition is not creditable to the city, and not what the traveling public have a right to expect. Some portions of the roads last mentioned have little resemblance to shellroads at all.

Your committee therefore recommend that these roads be repaired by the city at the expense of the contractor, deducting from the ten per cent retained in guarantee in the city treasury the amount of the expense incurred in putting them in the condition in which they should be according to the terms of the contract; and we offer the necessary resolution for adoption.

Upon the petition of merchants and others, asking for the location of a coal landing in the first district, your committee would report that the landing at post No. 22, first district, is the most available and best for the purpose, and offer the necessary resolution.

P. W. PERKINS,
S. STRAIGHT,
C. S. SAUVINET,
Special Committee Third District.

The following resolution accompanying the report was read twice under suspension of the rules, and adopted unanimously.

1. *Resolved*, That one hundred and fifty feet of the wharf and landing at post No. 22, first district, be and the same is hereby appropriated as a coal landing.

2. That upon the promulgation of this ordinance the portion of the landing as described in paragraph one of this preamble be measured and marked by the City Surveyor for the purposes mentioned in this ordinance.

Action was postponed on the following resolution accompanying the same report:

Resolved, That the City Surveyor be and he is hereby authorized to put in good repair and condition the shellroads on First, Eighth, and Ninth streets, the cost of material and labor for the making of said repairs to be charged to the contractor for making and keeping in repair said roads, and to be deducted from the ten per cent retained in the city treasury in guarantee for the faithful performance on the part of the contractor of his contract with the city for making and keeping in good repair the roads hereinnamed.

The following from the Committee on Improvements and Buildings was received, and the resolutions accompanying read twice under suspension of the rules, and adopted:

COMMITTEE ON IMPROVEMENTS AND BUILDINGS, Board of Assistant Aldermen, City Hall, New Orleans, January 28, 1868.

To the Honorable the Board of Assistant Aldermen:

GENTLEMEN—Your committee have the honor to report upon the following subjects referred to them:

1. Upon the resolution submitted by the Committee on Streets and Landings granting permission to the Southern Paving company to erect a portable steam engine in Agnes square, corner of Calliope and Clara streets, favorably recommending its adoption.

2. Upon the petition of Charles Thompson, praying for permission to erect a frame dwelling on the west side of Spain street, between Bosman and Caroline streets, favorably by resolution.

Respectfully,
J. L. STERRY,
Chairman.

Resolved, That permission be and the same is hereby granted to the Southern Paving company to run a portable steam engine in the open square at the corner of Calliope and Clara streets, providing the work is done in accordance with existing city laws and ordinances, and remains during the pleasure of the Common Council.

Resolved, That permission to and the same is hereby granted to Mr. Charles Thompson to erect a frame building on Sp