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CITY COUNCIL--OFFICIAL.

BOARD OF ALDERMEN.

Regular Session.

CITY HALL, NEW ORLEANS, August 4, 1868.

The Board met pursuant to adjournment.

Present: President Markey, and Messrs. Boguille, Brady, Kaiser, O'Brien, Poynot, Prados, and Shields—8.

The minutes of last meeting were read and approved.

The following message from the Mayor was read, and laid on the table subject to call:

MAYORALTY OF NEW ORLEANS, City Hall, August 4, 1868.

To the Honorable Board of Aldermen:

GENTLEMEN—I have the honor to lay before you the names of the seven Commissioners and Superintendent of the Water Works, appointed by me conformably with joint resolutions of the Common Council, viz:

1. William McCulloch,
2. Harry T. Hays,
3. Gabriel De Feriet,
4. F. H. Hatch,
5. Eugene Waggaman,
6. A. W. Bosworth,
7. Thomas McKnight, Commissioners.

Braxton Bragg, Superintendent.

Very respectfully,
JOHN R. CONWAY, Mayor.

The following resolutions from the other Board were received for concurrence:

Resolved, That the time of loading and unloading barges of the Mississippi Valley Transportation Company, and all other barges, be and is hereby extended from five to eight days, and said time to remain so fixed during the pleasure of the Common Council.

Resolved further, That all ordinances or parts of ordinances in conflict with the foregoing be and the same are hereby repealed.

This was read and concurred in, and, the rules being waived, read a second time and concurred in by the following vote:

Yeas: President Markey, and Messrs. Boguille, Brady, Kaiser, O'Brien, Poynot, Prados, and Shields—8.

Nays: None.

WHEREAS, Numerous accidents are continually occurring from imprudence on the part of the public, and also on that of the different railroad companies, and

Whereas, It is the duty of the Common Council to prevent as far as possible the occurrence of accidents and punish neglect; therefore be it

Qesolved, That the proper authority be and is hereby ordered to detail two or more policemen for the different stationhouses of the several steam railroad companies of this city, whose duty it shall be to warn and when failed necessary prevent parties from entering, or jumping into the cars after they are in motion; be it further

Resolved, That said companies shall place or cause to be placed signs and placards in conspicuous places, warning passengers and other persons of the danger of crossing the track or jumping into the cars when in motion; and be it further

Resolved, That any company who shall fail or refuse to comply with these resolutions in putting up signs and having placards placed on the columns and other conspicuous places in their stationhouses shall be liable to prosecution and fine.

Which was read and referred to the Committee on Streets and Landings.

Resolved, That the Controller be and he is hereby authorized to adjudicate a contract, after ten days' notice in the official journal, to the lowest bidder or bidders, for shelling and grading Josephine street, between Apollo and Liberty streets, the work to be done in strict accordance with plans and specifications on file in the office of the City Surveyor.

Which was read, and, the rules being waived, read a second time and concurred in on the following vote:

Yeas: President Markey, and Messrs. Boguille, Brady, Kaiser, O'Brien, Poynot, Prados, and Shields—8.

Nays: None.

The following petition from Mrs. Wilson and others, in opposition to Mr. Vom Hofe's application for permission to use a steam engine at his piano factory, was referred to the Committee on Streets and Landings:

PARISH OF ORLEANS, CITY OF NEW ORLEANS, August 3, 1868.

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

We, the undersigned petitioners, citizens of the Fourth District of this city, would respectfully represent to your honorable body that we are advised that Gust. Vom Hofe, Esq., a citizen of this district, at No. 809 Magazine street, in the square bounded by Magazine, Camp, Sixth, and Seventh streets, has presented a petition to your honorable body, which he obtained some three or four years since, signed by a portion of his neighbors, for the privilege of erecting on his lot, now occupied as a residence, a steam engine and machinery necessary for running a saw mill, and such purposes as he may desire. The above named petition was obtained under a misconception of the facts, about the close of the war, when great confusion existed, and if now granted would very greatly damage your petitioners; increase the fire risks on all property in the square, nearly all of which is improved, and all the improvements dwellings of wood and framed; would virtually compel the citizens to have their washing done elsewhere. The noise would be very unpleasant, and to the sick perhaps fatal. We, your petitioners, most respectfully urge your honorable body to reject the petition, and we will ever pray.

EDWARD F. WILSON,
WILLIAM DILLON,
MICHAEL KELLY,
P. J. OHN,
JOHN KOHLMAN'S property,
JOHN P. CHAMBERS,
In square above named.

We, the undersigned, having signed the petition of Gus. Vom Hofe, Esq., for the privilege of introducing machinery on his premises under misapprehension of the facts, do cheerfully sign this petition above against the granting of said privilege by the City Council.

JOHN HENDERSON,
MRS. S. A. ALFRED,
MRS. M. A. WILSON,
MRS. JAMES HOFFMAN,
JOHN C. STEVINSON,
PETER DEERING,
JOHN P. CHAMBERS,
In square above named.

REPORTS OF COMMITTEES.

FINANCE COMMITTEE ROOM, No. 23, City Hall, New Orleans, 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 advising the abolishment of the Assistant City Attorney, favorably.

On the petition of Policeman W. H. Webb to be paid $77 35, amount of salary during his illness, favorably by resolution, it being shown to the satisfaction of your committee that the illness of this officer was produced by exposure while in the performance of his duty.

On the ordinance entitled "An ordinance to enforce the payment of taxes and judgments due the city, and repealing ordinance No. 708, new series," adopted by the Board of Assistant Aldermen, sent to your Board for concurrence, and referred to this committee, favorably.

Your committee, before acting, wished to have legal advice in the premises, and therefore referred the whole subject to the City Attorney, who in a written communication reported that in his opinion the ordinance is legal, and that resolution No. 708 is revocable.

JOHN A. O'BRIEN,
Chairman Finance Committee.

This was received, and the following resolution was read:

Resolved, That in the opinion of the City Council the office of Assistant City Attorney should be abolished, and the collection of the taxes intrusted to the City Treasurer, whose resolution of the Council should be authority to select from among the employes of his office suitable persons to go to each taxpayer and collect the amounts due; and when the taxes become past due, to have them advertised according to law, and collected by clerks in his office duly authorized and deputed to perform that office; and that the Legislature be requested through the Mayor to abolish the office of Assistant City Attorney.

And the following, offered by Mr. Brady as a substitute, was adopted:

Resolved, That it is the opinion of the Common Council that the office of the Assistant City Attorney be abolished, and that the Finance Committee be empowered to request the abolition of that office by the Legislature.

The rules being waived, it was read a second time and adopted by the following vote:

Yeas: President Markey, and Messrs. Brady, Boguille, O'Brien, Poynot, Prados, and Shields—7.

Nays: Mr. Kaiser—1.

Resolved, That the Controller be and he is hereby authorized to warrant on the Treasurer in favor of Policeman W. H. Webb, for seventy-seven dollars thirty-five cents, as payment of his salary during his illness.

This was adopted, and, the rules being waived, read a second time and adopted on the following vote:

Yeas: President Markey, and Messrs. Boguille, Brady, Kaiser, O'Brien, Poynot, Prados, and Shields—8.

Nays: None.

An Ordinance to enforce the Payment of Taxes and Judgments due the City.

WHEREAS, Large sums are due the city for back taxes and unsatisfied judgments in favor of the city;

Be it ordained by the Common Council of the city of New Orleans, That the Assistant City Attorney be and he is hereby authorized and instructed to enforce forthwith the collection and payment of all said back taxes, and of all said unsatisfied judgments, from the year 1852 to the year 1867 inclusively; Provided, That his compensation for the additional duties hereby imposed upon him shall not exceed five per centum on the amounts paid into the treasury; And provided further, That all costs attending unsuccessful attempts to enforce said collection shall be at the risk of said Attorney.

Be it further ordained, etc., That the mandate given by ordinance No. 708, new series, be and the same is hereby revoked.

Be it further ordained, etc., That the said ordinance No. 708, new series, and all other ordinances or parts of ordinances conflicting herewith, be and the same are hereby repealed.

This was laid on the table subject to call.

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

To the Honorable Board of Aldermen:

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

Upon the resolution sent from the Board of Assistant Aldermen for concurrence, notwithstanding the veto of his honor the Mayor, concerning the sale of the right of way for a railroad on Villere, Dumaine, Marais, and other streets, which was adjudicated on the fifteenth of May, 1868, to the Orleans Railroad Company, with D. B. Macarty, George W. Hynson, B. Saloy, and L. E. Lemarie as securities, be and the same is hereby approved.

Resolved further, That the Mayor be and he is hereby authorized to enter into contract before the City Notary in behalf of the city of New Orleans, with the Orleans Railroad Company as principals, and D. B. Macarty, George W. Hynson, B. Saloy, and L. E. Lemarie as securities, for the right of way of a railroad on Villere, Dumaine, Marais, and other streets for twenty years, at the rate of 22-32 of one cent per passenger carried on the cars agreeably to specifications by the City Surveyor.

Your committee would report favorably on the passage of the aforesaid resolution.

THOMAS H. SHIELDS,
Chairman;
PETER KAISER,
LUDGER BOGUILLE.

Report received, and the resolution, viz:

Resolved, That the sale of the right of way for a railroad on Villere, Dumaine, Marais, and other streets, which was adjudicated on the fifteenth May, 1868, to the Orleans Railroad Company, with D. B. Macarty, George W. Hynson, B. Saloy, and L. E. Lemarie as securities, be and the same is hereby approved.

Resolved further, That the Mayor be and he is hereby authorized to enter into contract before the City Notary in behalf of the city of New Orleans, with the Orleans Railroad Company as principals, and D. B. Macarty, George W. Hynson, B. Saloy, and L. E. Lemarie as securities, for the right of way of a railroad on Villere, Dumaine, Marais, and other streets for twenty years, at the rate of 22-32 of one cent per passenger carried on the cars agreeably to specifications by the City Surveyor.

Was insisted on by the following two-thirds vote:

Yeas: President Markey, and Messrs. Boguille, Brady, Kaiser, O'Brien, Prados, and Shields—7.

Nays: None.

Mr. Shields offered the following resolution:

WHEREAS, The Surveyor's department is entirely devoid of plans and data requisite for the information of the members of the Common Council, concerning the location of railroads, canals, bridges, paved streets, shell roads, etc., and it is eminently necessary that a correct idea of the situation of each may be had, particularly for members of the Streets and Landings Committee; be it therefore

Resolved, That the Surveyor be and he is hereby authorized to employ a competent draughtsman, whose duty shall be to make under the immediate superintendence of the Surveyor the necessary plans for the information of the Council; and also to prepare a book, with a correct list, with their area, of all the paved streets, plank roads, macadamized and shelled roads, etc., the number of bridges, and their measurement; so as to enable the Council to form a correct idea of the value of repairs when ordered to be adjudicated.

Which was adopted, and, the rules being waived, read a second time and adopted on the following vote:

Yeas: President Markey, and Messrs. Boguille, Brady, Kaiser, O'Brien, Prados, and Shields—7.

Nays: None.

On motion of Mr. Shields, ordered that the whole Board constitute a committee to adopt rules for the conducting of its proceedings, and that fifty copies of the same be printed when so adopted.

The Board was notified that its resolution for a joint committee on trunk railways on Canal street was concurred in by the Lower Board, and Messrs. Pandely, Farrell, and Grandpre were the committee on the part of that Board. On motion the President appointed as the committee on the part of this Board Messrs. Shields and Brady.

On motion the Board went into executive session, after which adjourned.

W. B. LANCASTER, Secretary.

BOARD OF ASSISTANT ALDERMEN.

Regular Session.

CITY HALL, NEW ORLEANS, August 4, 1868.

The Board met in regular session.

Present: President Kearny, Rose, Aitkens, Walker, Sturcken, Grandpre, Fisher, Pandely, Wynne, Farrell, and Breen.

The reading of the minutes was on motion of Mr. Farrell dispensed with.

The Controller's report, showing checks drawn by the Treasurer in the amount of $8126 for the week ending July 25, 1868, was read and referred to the Finance Committee.

The Treasurer's report for the week ending August 1, 1868, showing receipts of $76,202 68, expenditures none, balance on hand $268,800 71, bills receivable on hand $308,835 65, was read and referred to the Finance Committee.

The following communication from the Controller was received:

CONTROLLER'S OFFICE, CITY HALL, New Orleans, August 1, 1868.

To the Honorable Board of Assistant Aldermen:

GENTLEMEN—I have the honor to inform you that I have made the following appointments in this office:

Pascalis Labarre, Deputy Controller.
Emile Tureaud, Book Keeper.
Henry Castaverde, Assistant Book Keeper.
George H. Case, Chief Clerk.
Le Vis Senechal, Assistant Clerk.
J. G. Landry, Tax Clerk, temporarily.
Dufilho, Messenger.

I will further report that I have canceled the following tax bills erroneously made, to-wit:

No. 774, in the name of C. M. Soria & Co.
No. 124, in the name of J. Duggan.

Respectfully, your obedient servant,
J. O. LANDRY, Controller.

The following communication from the Warden of Workhouse was read and referred to the Committee on Workhouse and Prisons:

To the Honorable Boards of Aldermen and Assistant Aldermen:

The undersigned begs leave most respectfully to call the attention of your honorable body to some facts connected with the City Workhouse, with a hope that action may be taken on the subject.

Since the twenty-third day of July, ultimo, not one prisoner has been committed by any of the four Recorders to the City Work house, while during the interim many have been sent to the Parish Prison for offenses which in the estimation of the undersigned clearly condemn them to the Workhouse.

I will refer your honorable body to Leovy's Digest, page 336.

Act of the Legislature, sections 120 and 121.

Same digest, page 522, article 1239.

Same digest, page 589, sections 4 and 5.

The undersigned will also call your attention to the fact that the expense of keeping prisoners at the Parish Prison amounts to about double what they can be kept for in the City Workhouse, and in the former prison there is no labor performed, in accordance with law.

Very respectfully,
JOHN HART,
Chief Warden City Workhouse.

Mr. Pandely tendered his resignation as chairman of the Committee on Workhouse and Prisons, which was accepted.

Mr. Pemberton here entered and took his seat.

On motion of Mr. Fisher the rules were suspended to allow the Board to enter upon an election for chairman of the Committee on Workhouse and Prisons to fill the vacancy occasioned by the resignation of Mr. Pandely.

Mr. J. C. Rose was nominated and unanimously elected.

The following communication from Mr. J. B. Eustis, City Attorney, returning the resolutions relative to the Carondelet Canal and Navigation Company and Louis Gagnet, was received:

NEW ORLEANS, August 4, 1868.

To the Secretary Board of Assistant Aldermen:

SIR—I can not act upon the papers of the Carondelet Navigation Company, not knowing officially upon what points my opinion is desired.

Respectfully, your obedient servant,
J. B. EUSTIS,
City Attorney.

The reading of the resolutions was called for, as follows:

1. Resolved, That the Mayor be and he is authorized to enter into contract with Louis Gagnet, lessee of Carondelet Canal and Navigation Company, for the exclusive privilege of using for the draining of the city all that portion of the bed of Bayou St. John extending from the mouth of Carondelet Canal, following said bayou to the northeast or lower side of St. Ann street, according to plan of the City Surveyor to be annexed to the contract.

2. Resolved further, That the said Louis Gagnet binds himself to grant said privilege during the term of his lease, and to withdraw any and all suits which he may heretofore have entered against the city for damages sustained by him by the city's draining into said Bayou St. John and Carondelet Canal, and to hold the city free of all damages until the first of February, 1869.

3. Resolved further, That the Carondelet Canal and Navigation Company bind themselves to grant to the city for draining purposes the use of the channel of Bayou St. John from the mouth of the Carondelet Canal to the northeast or lower side of St. Ann street for the term of their charter, according to the plan above mentioned.

4. Resolved further, That in consideration of said privileges the city binds itself to cease draining into the navigable channel of the said Bayou St. John and Carondelet Canal from the first of February, 1869, and to pay said Gagnet the sum of twenty-five thousand dollars.

5. Resolved further, That in consideration of the above privileges and on receiving due notice from the Mayor of the completion of contract between said Louis Gagnet, lessee, and the Carondelet Canal and Navigation company and the city of New Orleans, the Controller be and he is hereby authorized to issue warrants on the Treasurer in favor of Louis Gagnet, amounting in the aggregate to twenty five thousand dollars, divided into such sums as the said Louis Gagnet may require, in full payment of all his claims for damages against the city of New Orleans.

6. Resolved further, That upon completion of the foregoing the City Attorney is instructed to withdraw the appeal of the suit of Louis Gagnet, lessee of the Carondelet Canal and Navigation company vs. the city of New Orleans, before the Supreme Court.

On motion of Mr. Fisher, the foregoing resolutions were referred to the Committee on Streets and Landings.

The following resolution from the Upper Board was adopted on its first reading:

Resolved, That from and after the passage of this ordinance all orders, requisitions, certificates, and bills, before being issued or delivered, shall be approved and signed by the two chairmen of the committee from which they emanate, and a member of the said committee from each Board.

The following resolution from the Upper Board was adopted on its several readings with the following vote:

Yeas: Messrs. Kearny, Rose, Aitkens, Walker, Pemberton, Sturcken, Grandpre, Fisher, Pandely, Wynne, and Farrell.

Nays: Messrs. Camp and Breen.

Resolved, That the Controller be and he is hereby authorized to warrant on the Treasurer in favor of John P. Walsh in the amount of twenty-nine hundred and fifty ($2950) dollars, being the amount due him for repairs to Soraparu market.

The following resolution from the Upper Board was adopted on its several readings unanimously:

WHEREAS, In view of the increasing importance of travel on Canal street and other streets leading thereto; and

Whereas, The system of railroads on that street is becoming daily more important and complicated, several of the railroads having their starting points on or near that street desiring to extend their roads nearer the Clay statue, all of which would render it necessary for a definite plan to be agreed upon by which the interests of the city, property holders, railroads, and the community at large should be taken into consideration;

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 representatives of the different city railroads as to the practicability of establishing on each side of the Neutral Ground on Canal street a grand trunk road, with the necessary turn-outs, stations, starting points, etc., to connect with the different lines of city railroads now in operation and contemplation.

The President in compliance with the foregoing resolution announced the following committee:

Messrs. Pandely, Farrell, and Grandpre.

On motion of Mr. Pandely the Secretary was instructed to inform the Upper Board of the passage of the resolution, and the names of the gentlemen composing the committee from this Board.

The following resolutions sent from this Board to the Upper Board for concurrence were returned by that body as they appear appended to the respective resolutions:

Resolved, That permission be and the same is hereby granted to the proprietors of the *Commercial Bulletin* to erect a small engine in their office, No. 114 Poydras street, for the purpose of driving their presses.

Amended by adding: "The privilege to continue during the pleasure of the Council."

Resolved, That the Controller be and he is hereby authorized to adjudicate to the lowest responsible bidder, after five days notice in the official journal, the contract, payable in United States treasury notes, of fitting up the Seventh District court rooms, under the supervision of the Surveyor, and in accordance with plans and specifications now on file in his office.

Amended by Board of Aldermen so as to strike out the words "payable in United States treasury notes."

Resolved, That the Controller be and he is hereby authorized, after five days notice in the official journal, to sell a contract, payable in United States treasury notes, to the lowest bidder or bidders, for furnishing all the lumber necessary for the use of the city, for one year, according to specifications on file in the office of the City Surveyor.

Amended by Board of Aldermen so as to strike out the words "payable in United States treasury notes."

Resolved, That the Controller be and he is hereby authorized, after five days notice in the official journal, to adjudicate to the lowest bidder or bidders, a contract, payable in United States treasury notes, to supply the city with coal for one year, according to specifications on file in the office of the City Surveyor.

Amended by Board of Aldermen so as to strike out the words "payable in United States treasury notes."

The foregoing resolutions as amended by the Upper Board were adopted.

The Finance Committee submitted the following report:

FINANCE COMMITTEE ROOM, No. 23, City Hall, New Orleans, August 4, 1868.

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

GENTLEMEN—Your committee beg leave to report as follows on the following subjects referred to them:

1. On the resolution authorizing the Mayor to contract for the engraving of coupons bearing 7 30 per cent interest per annum, four of different denominations to be attached to each bill paid by the Treasurer, the committee are of opinion that the expense attending the engraving and preparation of said coupons would be large and without a corresponding benefit; that the execution of the plan would be complicated and of difficult execution, and that before the time said coupons are ready, say two or three weeks, the Legislature will have adopted some plan to enable the Council to relieve the city of its present financial embarrassment, and enable them to dispose finally of the city currency.

2. On the resolution authorizing the Treasurer to pay all outstanding debts in city currency—unfavorably.

Urged by the extreme suffering and distress of the numerous employes of the city, policemen, and others to take some action to enable them to stay their most pressing claims until the expected action of the Legislature, your committee waited upon his honor the Mayor, and requested him to give his approval to the issue of certificates of indebtedness authorized by Ordinance No. 915, new series, which, after consultation with the City Attorney, he consented to.

A resolution instructing the City Treasurer to issue certificates of indebtedness, in accordance with ordinance No. 915 is therefore offered for your consideration.

Respectfully submitted,
TH. F. FISHER,
Chairman Finance Committee;
R. WYNNE,
JOHN BREEN,
ALFRED KEARNY.

The following resolution accompanying the report of the Finance Committee was adopted on its several readings, when the Board reconsidered their action; whereupon with the consent of the Board the Finance Committee withdrew the resolution:

Resolved, That the Treasurer be and he is hereby authorized to issue certificates of indebtedness in accordance with ordinance No. 915, new series, approved May 15, 1868, in payment of all claims against the city.

The following resolution was received from the Upper Board, and on motion laid on the table:

Resolved, That it is the opinion of the Common Council that the office of Assistant City Attorney be abolished, and that the Finance Committee be empowered to request the abolition of that office by the Legislature.

The following report from the Committee of Streets and Landings was read:

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

To the Honorable Board of Assistant Aldermen:

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

1. Upon the communication of the City Surveyor relative to the petition of property holders on Peters and Clay streets, asking for the construction of new banquettes on said streets, your committee find that by some oversight their petition has only been published in the English language, instead of English and French, as required by section 120 of the city charter, therefore, your committee would respectfully recommend that the subject matter again be referred to the City Surveyor, to have the aforesaid petition published according to law.

2. Upon the resolution authorizing the City Surveyor to have the south side of Goodchildren street, from Spain street to the United States Barracks, shelled, and that the said Surveyor report cost of said road to this Board, your committee would beg leave to report that the work proposed in this resolution would necessitate a heavy expenditure. By examination of the City Surveyor, and his report to this committee, we find the number of lineal feet in aforesaid street to be 15,066, and the cost of the proposed shellroad will be about $33,886 50; therefore, in consideration of the city finances being in such an embarrassed condition, that it would be injudicious at the present time to incur further liabilities your committee, therefore, beg leave to report unfavorably on the aforesaid resolution.

3. Upon the petition of James Buckley, representing that the city is justly indebted to him in the full sum of eighty-eight dollars and twenty cents ($88 20) for work performed in repairing the paved streets in the Ninth Ward of the Third District, from July 27 to September 6, 1868, the petition inclosing certificate of Street Commissioner, your committee would report favorably, and offer the necessary resolution for adoption.

4. Upon resolution that Controller be and he is hereby authorized to sell at public sale to the highest bidder, after thirty days notice in the official journal, the material of the iron building at the head of Canal street, and that the purchaser or purchasers bind themselves to have the same removed within ninety days after the day of sale, your committee would report favorably by substitute.

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

The following resolution accompanying the report of the Committee on Streets and Landings, was read, and under a suspension of the rule adopted on its second reading:

Yeas: Messrs. Kearny, Rose, Aitkens, Walker, Pemberton, Camp, Sturcken, Grandpre, Fisher, Pandely, Farrel, and Breen.

Nays: Mr. Wynne.

Resolved, That the Controller be and he is hereby authorized to warrant on the Treasurer in favor of James Buckley, for the sum of eighty-eight dollars and twenty cents ($88 20), amount due him for repairs to paved streets of the Ninth Ward, Third District.

The following resolution, reported on favorably by the Committee on Streets and Landings, was adopted on its first reading:

Resolved, That the City Auctioneer be and he is hereby authorized to sell at public auction, to the highest bidder or bidders, after five days notice in the official journal, the materials of the iron building at the head of Canal street, and that the purchaser or purchasers bind themselves to have the same removed within ninety days after the day of sale. Terms—one-half cash in city notes; the balance on a credit of one year, with notes indorsed to the satisfaction of the Finance Committee of the Common Council, bearing eight per cent per annum from date until final payment.

The Committee on Improvements and Buildings submitted the following report.

NEW ORLEANS, August 4, 1868.

To the Honorable the President and Board of Assistant Aldermen:

GENTLEMEN—Your committee beg leave to report that they have examined the buildings occupied by the insane in the Third District. The place is altogether unfit for the purpose. The buildings are in such a state that to repair them would cost as much as to build a suitable place in a more suitable location.

Your committee thought it its duty to find if possible a place for the insane, and for that purpose examined the public buildings, and it has come to the conclusion that the police jail (now occupied by the military) would be a suitable place; the building is in good condition, with the exception of the floors of the lower cells, which in the opinion of your committee are not wanted at present and could be used for storerooms.

There would be needed wooden grating on the galleries, the cost of which would not amount to fifty dollars ($50).

When your committee examined the prison it was occupied by only thirty-four (34) prisoners. It is occupied by the military, and your committee think that one-half could be obtained from the General commanding at once.

Your committee also report that the keeper of the Asylum told it that he could not answer for his wards, as the place in which they are confined is unsafe, and that he would desire above all things to have one side of the police jail for his use.

The whole of which is respectfully submitted.

C. CAMP,
JOHN BREEN.

The following resolution was unanimously adopted, and Mr. Breen was appointed by the Chair to serve as a committee of one in pursuance thereof:

Resolved, That a committee of one be appointed by this Board to wait on General Buchanan, to obtain the use of the old police jail, now used as a military prison.

The following resolution, offered by Mr. Pemberton, was read and referred to the Committee on Streets and Landings:

Resolved, That the Controller be and he is hereby authorized to sell, after ten days notice in the official journal, the building of a footbridge across the New Canal basin, at the foot of Liberty street, according to plans and specifications on file in the Surveyor's office since July 10, 1866.

The following resolution, presented by Mr. Farrell, was referred to the Finance Committee:

Resolved, That no wholesale lumber commission merchant, master, or owner of any vessel or craft be permitted to sell in less quantities than the cargo, of lumber and other building material of different landings in this city, and the wholesale merchants make and use the different public landings for the purpose of retailing, to the great detriment of dealers, under and paying heavy yard rent, license, and other taxes, to their great injury and interest in their legitimate business.

The following resolution was read and referred to the Committee on Improvements and Buildings:

Resolved, That permission be and the same is hereby granted to U. Winteler to erect a steam engine and boiler on his premises, No. 23 Ferdinand street, Third District, for the purpose of carrying on a distillery; Provided, the same be erected in accordance with existing city laws and ordinances.

Mr. Camp offered the following resolution, which was read and adopted on its first reading:

Whereas, Great inconvenience and loss is felt by the inhabitants in the rear of the city, and by the community at large, through the present imperfect system of drainage; and

WHEREAS, It is incumbent on this Council that some action be taken to remedy the evil; therefore, be it

Resolved, That the City Surveyor be and he is hereby instructed to report at an early date to the Common Council a plan for the thorough and complete draining of the city of New Orleans, accompanied by a statement of the cost.

An ordinance entitled "An ordinance concerning the wharves of the city of New Orleans and providing for farming the revenues thereof," was read by title and referred to the Committee on Streets and Landings.

Mr. Wynne here tendered his resignation as chairman of the Committee on Police and Health, action upon which was indefinitely postponed.

An ordinance entitled "An ordinance providing for the sale of the right of way to establish railroads on Canal, Common, Carrollton avenue, and other streets, for passengers only," was read by title and referred to the Committee on Streets and Landings.

The following resolution, offered by Mr. Farrell, was referred to the Committee on Improvements and Buildings and his honor the Mayor, conjointly, with power to act:

Be it resolved, That permission be hereby granted to J. G. Roche, Coroner of the First and Fourth Districts, right bank of the parish of Orleans and city of New Orleans, to occupy a portion of the room occupied by the Street Commissioner, for the purpose of transacting the business pertaining to his office as Coroner, during the pleasure of the Common Council.

The following resolution, presented by Mr. Breen, was read and referred to the Committee on Streets and Landings:

Resolved, That the Controller be and is hereby authorized to sell the contract for the shelling of Eighth street, from Magazine to Tchoupitoulas street, after five days notice in the official journal. This street is in very bad condition, having been planked and paid for by the property holders; the planking was taken up and used by the city for repairing bridges during the war.

Mr. Wynne offered the following resolution, which was read and referred to the Finance Committee:

Resolved, That all outstanding bills against the city of New Orleans shall be paid in United States bonds or greenbacks in the satisfaction for parties interested.

Mr. Grandpre presented the following preamble and resolutions, which were read and unanimously adopted on their several readings:

WHEREAS, The frauds perpetrated upon the revenues of the city by several contractors and the public officers of the city, aided and abetted as it is reported by certain city and ex-city officials, have become a matter of notorious public scandal, and as a duty that this honorable body owes to itself, as well as to the people and the interests it represents, the investigation and inquiry into all these transactions and reports are imperatively demanded. Be it therefore

Resolved, That a special committee of three be at once appointed by the President of this Board, whose duty it shall be to institute, as soon as possible, minute and correct inquiry and examination into this contract system, and into the truth or falsity of the reports and rumors now afloat in regard to it; and for this end, and for these purposes, that the said special committee be and are hereby empowered to sent for persons and papers. Be it further

Resolved, That the particular attention of the said committee be directed to the late contracts for building the two culverts or dykes at the intersection of Exchange alley, Bourbon, and Canal streets, and to the square block paving of Esplanade street, that a correct survey and measurement of the said works be made, and a fair and just appraisement and valuation from experienced, responsible, and honorable parties obtained thereupon, together with all necessary facts and information relating to or bearing upon these works or contracts, and that the committee be required to report the same at the next regular meeting of this Board.

The foregoing resolutions were, upon motion, transmitted to the Upper Board for concurrence.

The following, ordinance entitled "An ordinance to establish floating baths in the city of New Orleans" was read, and on a suspension of the rules unanimously adopted on its several readings:

An ordinance to establish Floating Baths in the city of New Orleans.

WHEREAS, The facilities for bathing in pure running water in this city are totally inadequate to its population; and

Whereas, No public baths are erected along the banks of the river wherein cheap, cool, and refreshing bathing might be enjoyed—a want which has caused surprise of all strangers visiting this city; and

Whereas, The supplying of this desideratum meets with the approbation of the whole community, and as a sanitary measure would prove invaluable in promoting the health and comfort of the people;

Be it ordained by the Common Council of the city of New Orleans, That Paul Waterman & Co., of this city, have and are hereby granted, for the term of five years, dating from the fifteenth day of May, 1869, the sole privilege for themselves, their legal representatives or assigns, of establishing floating baths in the river, opposite the Second District in this city and said district only. Provided, That the cost of bathing shall not exceed ten cents for each person bathing. And provided, That the baths are adequately constructed, and conducted with due deference to morals, decorum, and the public safety; the whole subject to the approval of the City Surveyor.

Be it further ordained, That in consideration of the general utility of such baths, said Paul Waterman & Co. are hereby granted exemption from the usual wharfage dues while engaged in conducting said floating baths, which will be from the fifteenth of May to the fifteenth of September of each year, and then only. Provided further, That said baths shall at no time interfere with commerce or navigation, established or hereafter to be established by law, and to exist subject to the pleasure of the Common Council.

Mr. Pemberton offered the following resolution, which was referred to the Finance Committee:

Resolved, That the railroad companies, the farmers of the markets, and all other collectors of revenue for the city, shall pay into the city treasury the same kind of money received by them, and in case any collector fail to comply with this resolution he will be summarily discharged.

The petition of taxpayers residing on Louisa street, Third District, complaining of the difficulty of travel for pedestrians in rainy weather in that vicinity was read and referred to the Committee on Streets and Landings.

The petition of the Canal and Claiborne streets Railroad Company asking for an extension of their line on Canal street, was referred to the Special Committee on Railroads.

The petition of General G. T. Beauregard, of the Carrollton Railroad Company, asking permission to lay tracks on Canal street, to be used in common with other roads, was referred to the Special Committee on Railroads.

The petition of J. A. D'Hemecourt, engineer of Canal and Claiborne streets Railroad Company, asking that bridges be built in the neighborhood of the company's depot on Common street, was referred to the Committee on Streets and Landings.

The petition of citizens of the Third District praying that Craps street be opened from France to Mason street, was referred to the Committee on Streets and Landings.

The petition of Thomas Finney praying that he be allowed to purchase from the city the triangular piece of ground at the intersection of Adeline and Claiborne streets, was referred to the Finance Committee.

The petition of residents near Le Breton market protesting against the illegal running of carts, and the vending therefrom of meat, vegetables, etc., was referred to the Committee on Police and Health.

The petition of Mr. Winteler praying for permission to erect a boiler and engines at No. 23 St. Ferdinand street, Third District, was referred to the Committee on Improvements and Buildings.

The petition of property-holders of the Fourth District asking for plank sidewalks on Washington and Magnolia streets, was referred to the Committee on Streets and Landings.

The petition of J. Ben. Chandler requesting the use of a portion of wharf post, No. 17, to erect an elevator for lumber, coal, etc., was referred to the Committee on Streets and Landings.

The petition of M. Cendran asking payment of bills for ballast and shells furnished the city, was referred to the Finance Committee.

The petition of residents on Livaudais street asking the abatement of a nuisance in that vicinity, was referred to the Committee on Police and Health.

The petition of Wm. Thiel asking permission to establish a swimming school on the river front, was referred to the Committee on Police and Health.

The following communication was read, and referred to the City Attorney for his opinion as to the legality of the election:

NEW ORLEANS, July 28, 1868.

To the Honorable the Board of Assistant Aldermen:

GENTLEMEN—The undersigned, together with others, necessary to complete the number (13) called for by law for that purpose, were at a regular meeting of June the 9th, 1866, by a joint session of the Boards of Aldermen for the city of New Orleans, elected as commissioners of the Houses of Refuge. Having called upon Mr. Conway, the Mayor, to be qualified according to law, and he having refused so to do, without assigning any definite objection, we now respectfully lay the matter before you for decision, as we are anxious to enter upon the discharge of our duties if so entitled, or be relieved from further responsibility if not. We are, gentlemen,

Respectfully, etc.,
H. MILLSPAUGH,
AUG. DEB. HUGHES,
JOHN S. MAUNSELL,
THOS. W. BOTHICK.

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

Resolved, That rule No. 25 be amended by adding another standing committee, viz: Committee on Railroads, to consist of four members.

The Board then proceeded to an election for chairman of the Committee on Railroads, created by the foregoing resolution.

Mr. George Pandely was nominated, and unanimously elected.

Mr. Sturcken moved a reconsideration of the vote by which the Mayor's veto of the adjudication by the Controller of the farming of Dryades market was sustained. The motion to reconsider was adopted.

The reading of the resolution was called for as follows:

Resolved, That the Controller shall, after the passage of this resolution and approval by the Mayor, adjudicate, after ten days notice in the official journal, to the highest bidder and in accordance with the ordinances, the revenues of Dryades market for one month, or to the thirty-first of December, 1868, the city reserving the right to annul the lease on one day's notice, without damages.

A motion to persist in this resolution, withstanding the veto of the Mayor, was adopted by the following vote:

Yeas: Messrs. Kearny, Rose, Aitkens, Walker, Pemberton, Camp, Sturcken, Grandpre, Fisher, Wynne, Farrell, and Breen.

Nay: Mr. Pandely.

Upon motion of Mr. Fisher the President and Secretary were directed to draw Messrs. Montgomery and Sturcken, were absent.

The drawing resulted as follows:

SECOND CLASS—LONG TERM.

Messrs. Kearny, Rose, Walker, Camp, Sturcken, Grandpre, Pandely, Wynne, and Farrell.

FIRST CLASS—SHORT TERM.

Messrs. Rose, Aitkens, Pemberton, Montgomery, Fisher, Morphy, and Breen.

The Board then adjourned.

JOHN TOBIN, Secretary.

AN ACT

[No. 1.]

To provide for the Removal of Causes Pending in the Supreme Court under the Constitution of eighteen hundred and sixty-four, to the Supreme Court established under the New Constitution.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That all causes pending in the Supreme Court organized under the Constitution of eighteen hundred and sixty-four, or any previous constitution of this State, together with all the proceedings of every kind pending therein, with all the records, books, papers, furniture, and whatever appertains to said court, be and the same are hereby transferred to the Supreme Court organized under the Constitution of eighteen hundred and sixty-eight, and said Supreme Court shall have full power and jurisdiction over the same to hear and determine the undetermined cases, or to make any decision, rendered order, in any cause so transferred that may have been legally made by the Supreme Court organized under any constitution previous to that of eighteen hundred and sixty-eight, and that no suit or cause shall abate on account of the transfer hereby made.

SEC. 2. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) CHAS. W. LOWELL,
Speaker of the House of Representatives.
(Signed) OSCAR J. DUNN,
Lieutenant-Governor, and President of the Senate.