

New Orleans, Ordinance, etc.

DIGEST
OF THE
ORDINANCES AND RESOLUTIONS
OF THE
SECOND MUNICIPALITY
OF
NEW-ORLEANS,
IN FORCE MAY 1, 1840.

COMPILED BY ORDER OF THE COUNCIL.

By **JOHN CALHOUN,**
COMPTROLLER.

NEW-ORLEANS:
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1840.

ARTICLE 9. No person or persons shall carry or convey in any boat, wagon, dray or other carriage, or in any other manner whatever, in or through the city or precincts of New-Orleans, any gunpowder, except in tight casks, well headed and hooped, which casks shall be put into such canvas, tow cloth or leather bags, in such manner as entirely to cover such casks therewith, and the mouths of such bags shall be securely tied, or covered with a sheet, sail, or other cloth, under and around it, so as effectually to prevent the same from scattering or sifting out, under the penalty of ten dollars for every cask or barrel which shall be conveyed through any street road or other public way of the city, in any other manner than is hereby directed ; one half to the informer, and the other half for the use of the city.

ARTICLE 10. It shall not be lawful for any person to have or keep within the city and suburbs, or within two miles of the same, (except the public magazine, or place of depot appointed for that purpose) any quantity of gunpowder, at any one time exceeding one hundred pound weight, in any one place, house, storè or out-house, which said quantity of one hundred pounds shall be separated in several stone jugs or tin cannisters, each of which shall not contain more than ten pounds of powder, and shall be provided with a safe and sufficient stopper ; and if any person or persons shall keep any greater quantity of gunpowder, at one time, than one hundred pounds, in any one place, house, store or out-house, or if the same gunpowder, so kept as aforesaid, shall not be separated in the manner herein above directed, he, she or they shall forfeit all such gunpowder so kept contrary to the true intent and meaning of this ordinance, or so permitted to be kept, and which shall not be separated as aforesaid, and shall also forfeit and pay a fine of not less than twenty-five, nor more than one hundred dollars, to be recovered with costs of suit, by the Mayor or any other competent magistrate ; one half to the informer, and the other half for the use of the city.

ARTICLE 11. The Mayor, or any justice of the peace within the limits of the city, is hereby authorised, as often as he shall be informed upon oath, or affirmation, of probable cause to suspect any person or persons whomsoever, of concealing or keeping

within the city or precincts, to the distance of two miles from the said city, any quantity of gunpowder, over and above one hundred pounds weight, as aforesaid, or of concealing or keeping in any boat, ship or other vessel within the port of New-Orleans, any quantity of gunpowder, over and above ten pounds weight, (ships of war only excepted) to issue a search warrant to be executed in the house, store, shop, or other place, or any boat, ship or other vessel designated to him, to examine into the truth of such allegation, in order that every such offender be proceeded against in the manner above specified ; or in conformity with the ordinance respecting the said port, as the case may be.

ARTICLE 12. No person shall hereafter be permitted to fire or discharge any gun, pistol, fowling piece or fire arm, nor to discharge or let off any rocket, cracker, squib or other fire-works, in any street, court-yard, lot, walk or public way, within the city or suburbs, or from the door or window of any house or other building, or near any house or other inhabited part of the said city or suburbs, on any account whatever, particularly on the occasion of festivals or public rejoicings, under the penalty of from five to ten dollars upon each offender, if the person so offending be free, and of thirty lashes, if the offender be a slave; provided always, that nothing contained in this ordinance shall be construed to extend to the reviews or exercises of any military company; and if any person or persons shall let off any fire-works, or shall make any bonfire, without having first obtained the permission of the Mayor of this city, who will appoint a place for so doing, every such person or persons shall pay the fine aforesaid.

ARTICLE 13. It shall be the duty of every owner of a lot or half lot within the city, and the inhabited parts of the suburbs, to have in each of the said lots or half lots a well from ten to twelve feet deep, and from three to four feet in diameter, secured with plank or masons' work, with a brim solidly constructed with brick or wood, and raised at least two feet above the level of the ground, under the penalty of a fine of ten dollars for every month he shall have neglected to comply with this provision ; and during the first fortnight of October, every year, it shall be the duty of the officers of police to enter into the aforesaid court-yards,