

To the honourable the Members of the Senate
and of the House of Representatives of the Congress
of the United States of America.

The Mayor, Aldermen and Inhabitants of
New Orleans respectfully represent,

That the Harbour of the said City is formed by dikes
or levees which the Corporation is obliged to cause to be raised and
kept in repair, at great expense, in order to dam out the waters
of the Mississippi, which would otherwise inundate the City at
the season of the annual rise of the river;

That these levees or dikes are continually impaired
by the vessels and small craft lying in the Port of New Orleans,
and that with the view of providing for raising and keeping the same
in repair, the Spanish Government, by one of their first acts, immediately
after Louisiana had been ceded to them by France, authorised the
Cabildo (City Council) of New Orleans, to levy an anchorage duty on
the navigation;

That since the taking of possession of this country by
the United States, the number of vessels having increased, the
Corporation has been under the necessity of consolidating the levees
which skirt the Mississippi thro' the whole extent of the Port
of New Orleans; that the facings and platforms made on the
levee in front of the suburb St. Mary and of the suburb Marigny
have cost nearly ten thousand Dollars each, without speaking
of the facings and platforms made on the levee in front of the City
properly so called, or of the expenses occasioned by the continual
repairs of works of that nature;

That notwithstanding all this care and expense, the City
is constantly exposed to the danger of seeing the said dikes destroyed
by the waters; that the dreadful hurricane which lately committed
such ravages in lower Louisiana, carried away a great part of those
facings and platforms, and that the Corporation cannot repair
these damages, and meet the other expenses incident to the keeping
of the levees in a solid condition, without disbursing enormous
sums, out of all proportion with the annual proceeds of the duty
of wharfage;

That, by the provisions of its Charter, the Corporation

of New Orleans has been invested with the rights and privileges of the Cabildo, and is authorized to lay taxes to defray the municipal expenses, and expressly to keep in repair the levees of the City;

That conformably to those provisions, the City Council made an Ordinance laying a wharfage duty on vessels, flat-boats, barges and other craft mooring in the Port of New Orleans, in various proportions according to the size of the vessels, and the more or less deterioration they might occasion to the levees of the City;

Your petitioners are informed that in the course of your preceding Session, it was proposed to the Honorable Congress to prohibit the Corporation of New Orleans from continuing to levy the said wharfage duty; but they will have the honour to observe to you that the existence of that duty is indispensably necessary to supply the exigencies of the port of New Orleans, that it is calculated on the expenses incident to the keeping of said port in good condition, and that it is thro' a principle of equity that that duty is laid on vessels mooring along the Quay of said City, as they continually impair the said Quay.

In support of the preceding observations, your petitioners think proper to lay before Congress: 1.st An Extract of the Ordinance of Governor Count O'Reilly, bearing date the 22nd February, 1770, by which the Cabildo is empowered to levy an anchorage duty on vessels mooring in the Port of New Orleans; 2.nd An Extract of the Act to incorporate the said City, by virtue whereof the Corporation is invested with the rights and privileges enjoyed by the Cabildo, and is empowered to lay taxes to defray the expenses of the Administration and police of the City; 3.rd A Copy of the ordinance made by the Mayor and City Council, for laying a levee duty on vessels, flat-boats, barges, and rafts.

Therefore your petitioners take the liberty to pray the Honorable Congress do confirm by a law the aforesaid Ordinance, ^{of the City Council,} and to authorize the Corporation of New Orleans to continue to receive the levee duty mentioned in this petition which is humbly submitted to your consideration.

They presume to hope that they shall obtain from Congress the same justice and benevolence which that Honourable Body has already winced with regard to the same object in favor of several other Corporations forming a part of the American Union, particularly those of New York and Baltimore, especially when the Honorable Congress is informed that by reason of

the local situation of New Orleans, of the high price of labour, materials, produce and goods, the municipal expenses are proportionally much more considerable than in the most populous Cities of the United States, and that were the Corporation deprived of its wharfage duty, the City Council would find it utterly impossible to meet the expenses requisite for keeping the levees of the City in a constant state of solidity; as the inhabitants are already burthened with several taxes which they pay to the Corporation, to the Parish of Orleans, and to the State of Louisiana, and as it would not be equitable to increase those taxes, on account of the repairs of levees, which are not impaired by them, but by the vessels, as well national as foreign, which moor along the Quay of New Orleans, and which therefore ought to support an expense to which they give rise.

And your petitioners will ever pray for the prosperity of the United States, and for the preservation of your Days.

Memoirs

Approved, December 28 - 1812 / 1.

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N. P. M. D. Mayor

