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CITY COUNCIL--OFFICIAL.

SPECIAL SE SION.

City Hall, New Orleans, April 22, 1870.

A special meeting of the Council was called by the Mayor for this evening.

At seven o'clock Mayor Flanders took the chair, and the Secretary called the roll.

Present: Administrators Shaw, Delassize and Walten.

Absent: Administrators West, Emley and Pierce.

Adjournment for ten minutes. Roll called.

Present: B. F. Flanders, Mayor; Administrators West, Shaw, Delassize, Emley, Pierce and Walton.

The reading of the minutes of the last meeting was dispensed with.

Administrator Walton presented the credentials of Mr. Hubert Bonzano, appointed by Governor Warmoth Administrator of Assessments in the place of Mr. D. B. Macarty, resigned.

The Mayor appointed Administrators Emley and Delassize a committee to examine the credentials of Mr. Bonzano.

Mr. Emley reported the credentials correct, and Mr. Bonzano took his seat as Administrator of Assessments, and answered to the roll call.

The Jackson Railroad Stock.

Administrator Walton (Finance) said, at a recent meeting I reported the cash in the account of Mr. W. S. Mount, late Treasurer, apparently some three hundred thousand dollars short, arising from the attempted sale of the city shares in the Jackson railroad. I have since been officially informed that this amount has been placed in the Louisiana National Bank, subject to the order of the city, and can be obtained at any time.

Mayor Flanders: On the subject of this communication, which has been made by the Administrator of Finance, I beg permission to make a brief statement. The Council, at its first meeting, immediately after its organization, passed a resolution directing the City Attorney to take measures to protect the interests of the city in the matter of the attempted sale by the late Council of the city's Jackson Railroad stock. Since that time the question has become involved more and more deeply in litigation, and at last has reached a point of complication which may result in the entire loss of the stock to the city. It therefore becomes necessary at this time, for the Council to consider maturely and carefully what wisdom dictates they should do in the matter.

The annual election of directors of the Jackson Railroad was to have been held last Monday, but was prevented by an injunction sued out in the Eighth District Court. On Monday next the election will take place, unless prevented by another injunction, and that election will be valid under the charter, whatever number of shares may be represented.

A suit has been instituted in the United States District Court to declare the railroad company bankrupt, which suit, if successful, will render worthless the shares belonging to the city of New Orleans. This is the first danger.

It is also known that dissatisfaction has existed for a considerable length of time in the State of Mississippi, on account of the non-fulfillment by the Jackson Railroad Company of their terms of the charter requiring them to extend the road to Aberdeen, in that State; and I have it from the Governor of the State himself (Governor Alcorn) that if the present management—I use the word management advisedly—is to be continued for another year, so unsatisfactory is it to the people of Mississippi that the Governor will recommend to the Legislature of that State that steps be taken to forfeit the charter of the company in Mississippi. This course, if taken, will leave the railroad with only about eighty miles of road, and that in Louisiana. There is no doubt that the recommendation of Governor Alcorn would be immediately followed by corresponding action on the part of the Legislature, and if that should take place the stock of the city of New Orleans in the Jackson railroad would also become worthless. This is the second danger.

Taking these facts into consideration, in connection with the complicated and apparently endless litigation in which the whole question has become involved, it seems to me it does become the Administrators of this city to deliberate gravely whether they should accept or not the sale, however irregular it may have been, which was attempted by the late Council and take what they can get, rather than hold on to their stock until it becomes like their stock in the Opelousas Railroad—utterly worthless.

I recommend nothing. I only say that as practical men we have to consider the matter, and consider it carefully, with the best lights we have before us. For my part, as I have said, I do not know what advice to give, but I think it my duty to bring the matter in this form before the Council for their action.

Administrator Emley, (Commerce): In view of what the Mayor has said, and esteeming this a matter of high importance, I move that the whole subject be referred to a committee to be composed of his Honor the Mayor and the Administrator of Finance, (Mr. Walton), for consideration, and report at our next meeting.

Administrator Shaw (Accounts) moved an amendment that the Administrator of Commerce (Mr. Emley) be added to the committee.

Carried.

On the motion of Administrator West (Improvements), the committee was instructed to report at a special meeting of the Council to be held to-morrow evening.

The Floating Indebtedness.

On the Mayor calling for reports from the departments in due course of business,

Mr. Shaw moved that the regular order of business be suspended in order to take up the unfinished business of the last meeting.

Agreed to.

Administrator Shaw (Accounts) called up the ordinance laid over from the last meeting providing for the extinction of the floating debt. He stated that the ordinance had been subjected to a careful examination by several Administrators, and he would now submit it in its amended form.

The ordinance was taken up section by section as follows:

Section 1. Be it ordained by the Council of the city of New Orleans, That the Mayor and Administrator of Finance shall, as soon as practicable, cause to be designed and engraved bonds of the denominations of fifty, one hundred, five hundred and one thousand dollars, sufficient to provide for the issue of three millions of dollars under and in pursuance of section forty-one of an act entitled "An act to extend the limits of the parish of Orleans," etc., approved March 16, 1870.

Adopted.

Sec. 2. Be it further ordained, etc., That the Council shall proceed to the election of a chartered bank to be Administrator of the Floating Debt, which said bank, prior to said election, shall enter into contract with the city of New Orleans, represented by the Mayor, by notarial act, whereby it shall agree to accept said trust under the provisions of this ordinance, and to negotiate no bonds except to the highest bidder or offerer, and to subject all bids or offers to the Council of the city of New Orleans, and obtain its approval before accepting, ratifying or acting upon the same. And the said bank shall further contract and agree to be bound to observe and act according to such further regulations as the Council may adopt for the exchange, sale or negotiation of said bonds, the payment of the Floating Debt, and the protection of the interests of the city and the tax-payers thereof.

Adopted.

Sec. 3. Be it further ordained, etc., That upon the completion of the said contract and the election of said bank as Administrator of the Floating Debt, it shall be the duty of the Administrator of Public Accounts, as soon as practicable, to furnish said bank with the sworn statement of the floating debt required by law, together with all liquidated obligations placed in his hands and found to be in accordance with law, and the said Administrator of the Floating Debt shall advertise and give sufficient time for proposals from all holders or owners of the Floating Debt to receive bonds therefor at par. And on the bank exhibiting said proposals it shall be the duty of the Mayor to issue to said bank or Administrator of the Floating Debt, bonds signed by the Mayor and Administrator of Finance, the denominations demanded by the the proposals to be used in the exchange or payment therefor; provided, that in all cases where the holder or owner shall be entitled to a balance under fifty dollars, for which no bond is provided; he shall be entitled to a certificate, and such certificates of adequate amount may be used together to make the necessary amount to receive a bond, and this provision is extended to other sales of bonds hereinafter provided for.

Adopted.

Sec. 4. Be it further ordained, etc., That after due time for the taking up of bonds at par, the Administrator of the Floating Debt shall, with the approval of the Mayor, and in such manner and form as may be by him approved, advertise or negotiate for the highest bids or proposals for bonds at a price not lower than twenty-five per cent less than the face thereof, and upon the submission of said bids or proposals by the Administrator of the Floating Debt to the Council, and its approval and acceptance thereof, the Mayor may issue such further amount of bonds as may be necessary for the Administrator of the Floating Debt to exchange or dispose of in accordance with said approved proposals. And negotiations or calls for proposals shall, if necessary, be from time to time renewed, under the direction of the Mayor, by the Administrator of the Floating Debt, in place of unsatisfactory bids and proposals, and to continue and complete the negotiation of the entire three millions of bonds.

Adopted.

Sec. 5. Be it further ordained, etc., That no bonds to be issued by the city of New Orleans in pursuance and under authorization of section forty-one of the act of the Legislature aforesaid, shall be issued except upon approved proposals or bids, made to and submitted by the Administrator of the Floating Debt, and approved and accepted by the Council.

Adopted.

Sec. 6. Be it further ordained, etc., That for the negotiation of bonds and the exchange, payment or sale thereof, and for performing all other duties, the Administrator of the Floating Debt shall receive in full compensation of services as well as for all expenses thereof, one-half of one per cent of the face of the bonds so negotiated, and exchanged, paid out or sold, and no more.

Adopted.

Sec. 7. Be it further ordained, etc., That this ordinance shall be incorporated in and be made part of the contract, to be entered into notarially with the bank to be chosen as Administrator of the Floating Debt, and the same shall bind itself to the city to act fully in accordance therewith, and not otherwise; and it is further ordained that no issue of bonds, as authorized under section forty-one of act of March sixteen, aforesaid, shall be made or held valid, unless done in full compliance with the provisions of this ordinance, and with such further rules, provisions, and regulations as may be hereafter made supplementary thereto by the Council.

Adopted.

Administrator West called for the reading of the title, and moved its adoption as follows:

An ordinance to provide for the extinction of the floating debt of the City of New Orleans, and the issue of bonds for the payment thereof.

Adopted.

Administrator Shaw moved the adoption of the ordinance as a whole.

On a yea and nay vote the ordinance was unanimously adopted.

Administrator Shaw handed in the following resolution, which was laid over under the rules:

Resolved, That the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated to defray the expense of engraving the three millions of bonds authorized by the act of the Legislature entitled "An act to extend the limits of the parish of Orleans," etc., approved March 16, 1870, payable on bills or drafts approved by the Mayor and Administrator of Finance.

The following resolution, laid over from the last meeting under the rules, was called up, and, on motion of Administrator Shaw, was adopted:

Resolved, That in order to facilitate the auditing of the floating debt, in case the requisite information be not filed in the office of the Administrator of Public Accounts, he is hereby authorized to refer any voucher or bill which appears to be imperfect to the Administrator of the department at present in charge of the work on which the expenditure was made, who shall thereupon notify to the Administrator of Accounts his approval, amendment or rejection of the claim, but shall not in any manner alter or deface the original document.

General Business.

Administrator Shaw offered this resolution:

Resolved, That agreeably to the provisions of section two of an act of the Legislature of this State, entitled "An act to organize a central office of notarial records," etc., approved March 28, 1867, the sum of fifty dollars per month, commencing from and after the first of March, 1870, be and is hereby appropriated for the payment of the monthly rent of an office for said notarial records, and that the Administrator of Public Accounts is hereby instructed to warrant on the Administrator of Finance at the end of each and every month in favor of said custodian of notarial records for said monthly sum of fifty dollars.

Laid over under the rules.

Petitions.

A petition from keepers of beer saloons, with respect to the interference of the police with their having music in their saloons, permission for the same having been given by ex-Mayor Conway, was read.

On motion of Mr. Emley the petition was referred to the Department of Police.

Administrator West moved a reconsideration of the vote, in order that he might make some remarks upon it.

Carried.

Administrator West asked the Administrator of Police who had stopped the music.

Administrator Pierce replied that the Superintendent of Police was probably responsible; he interpreting the law in this way, that the permissions given by the late Mayor terminated with his term of office.

The Mayor added to the explanation given by Mr. Pierce, that some of these saloon [illegible] have music in their places, had inaugurated theatrical performances, accompanied by as much nudity as could be seen at the Academy of Music on the representation of the Black Crook. Some of these saloon keepers had expressed their willingness to pay a regular theatrical license of three hundred dollars, and they argued, with some plausibility, that whether the theatre was large or small made no difference, if the proprietor was ready to pay the license. This could be easily regulated by the Administrator of Police.

Administrator Shaw said this entire raid was based upon article 261 of Leovy's Digest (article 236 of edition of 1870), which reads as follows:

Except in cases where permission is granted by the Mayor, it shall be the duty of the Chief of Police to arrest all persons who shall be found playing, or causing to be played, music in any bar room, coffeehouse or other place where liquors are sold; who, upon conviction, shall be liable to a fine of not more than fifty dollars for each and every offense, and the coffeehouse keeper shall be liable to the same penalty.

He moved the following resolution:

Resolved, That the operation of article 261 of Leovy's Digest, being section fourteen of an ordinance relative to coffee houses, carbarets, bar-rooms, etc., (article 236 of edition of 1870), be suspended until the further action of the Council.

Administrator West seconded the motion, which was carried.

On motion of Mr. West, the petition read was referred to the Administrator of Police for examination and report.

A memorial of Dr. J. J. Hays, proprietor of Luzenberg Small-pox Hospital, was read by title and referred to the Department of Public Buildings.

A memorial of the owners of the Southern Cotton Press was read by title, and referred to the Department of Accounts.

Unfinished Business.

Administrator Emley (Commerce) called up the amended ordinance appointing inspectors of coal and wood, laid over from last meeting. The ordinance was read section by section, some verbal alterations and additions were made, and the ordinance, as thus further amended, stood as follows:

An ordinance dividing the city into two wood and coal divisions, and appointing inspectors thereof, and providing penalties.

Section 1. Be it ordained by the Council of the city of New Orleans, That the city be and hereby is divided into two wood and coal divisions; that all of that part of the city above Canal street shall be constituted and known as the first division, and that part below Canal street, including the Fifth District, shall be constituted and known as the second division.

Sec. 2. Be it further ordained, That in the month of April, eighteen hundred and seventy, and annually thereafter, the Administrator of Commerce shall nominate, and by and with the advice and consent of the Council, appoint one inspector of wood and coal for each of said divisions, with such number of assistant inspectors as may be necessary.

Sec. 3. Be it further ordained, That from and after the fifteenth day of May, eighteen hundred and seventy, it shall be unlawful for any person to sell, or offer for sale or deliver, any firewood or coal, at retail, from any wagon, cart, vehicle, yard or other place, until the same has been measured by one of the inspectors or assistant inspectors aforesaid, and his certificate obtained therefor; that all cord wood brought to market within this city shall be at least four feet in length, including one half the kerf, and the cord shall be computed at the rate of eight feet in length, four feet in breadth and four feet in height, well stowed and packed; provided, that if the deficiency in the average length of any such cord wood shall not exceed six inches, the same may be measured as cord wood, and the inspector shall make an allowance for same of double such deficiency; that every load of wood sold or offered for sale in the city shall be stowed as closely together as it can conveniently be put, and no crooked wood shall be stowed in any such load, but all crooked wood and short wood shall be sold by itself as refuse wood.

Sec. 4. Be it further ordained, That it shall be the duty of all persons selling coal or coke in this city, at retail, to have their carts and other vehicles used for delivering the same constructed in such manner that the top thereof shall form a plain surface, and that the end board shall be of the same height as the sideboards, and the top of the sideboards, together with the top and bottom of the end board shall be covered with iron in such manner as to prevent them from wearing off, and the said cart or other vehicle shall be of such capacity as to contain, when even full, 67,200 cubic inches, or twenty-five bushels of coal, of 2688 cubic inches each.

Sec. 5. Be it further ordained, That it shall be the duty of such inspectors or assistant inspectors to ascertain by calculating the cube thereof, that all carts or other vehicles now used, or that may hereafter be used, for hauling or delivering coal or coke have the above required capacity, and that they are made to conform in all other respects to the above provisions, and shall, upon ascertaining these facts, cause the said carts or vehicles to be marked by a tin sign on the left side, having inscribed thereon "twenty five bushels, inspected." Such inspectors shall moreover re-examine all carts or other vehicles used in the delivery or sale of coal or coke once in every twelve months, and shall report to the Administrator of Commerce the names of all persons refusing or neglecting to comply with the above provisions, or using carts of insufficient capacity, or in any way violating the same.

Sec. 6. Be it further ordained, That it shall be unlawful for any person or persons to deliver, or cause to be delivered, any coal or coke to any purchaser at retail by any other measure than that above defined, or from any cart, wagon or other vehicles that have not been duly inspected and marked as aforesaid, or for any person or persons to leave any boat, yard or other place of deposit, with any cart, wagon or other vehicle loaded with coal or coke, with the intention of delivering the coal or coke therein to any purchaser or purchasers until the said cart, wagon or other vehicle has been duly filled even full, or in any other manner to violate the provisions of this ordinance; provided, that notwithstanding the foregoing, it shall be lawful for all coal carts or other vehicles used in carrying coal or coak, to have a guage mark for the purpose of measuring and carrying half a load, or twelve and one-half bushels of coal or coke.

Sec. 7. Be it further ordained, That such inspectors or assistant inspectors shall measure and inspect all firewood brought to such stands as may be designated, and shall grant the vendor of each load a certificate setting forth the quantity thereof, and date of inspection, making a reasonable and fair allowance for loss sustained by crooked and uneven wood, estimating a cord to contain one hundred and twenty eight cubic feet, and for each and every load containing fifty cubic feet or over, so measured and inspected, he shall receive a fee of fifteen cents, and for each and every load containing less than fifty cubic feet, a fee of ten cents, and no more, to be paid by the seller.

That such inspectors shall see that all provisions of this ordinance, as relating to the sale of coal, are complied with; shall have offices or stations convenient to the several coal landings, where they may examine and inspect all coal being sold at retail; and for each and every cart load, thus examined and inspected, they shall issue a certificate setting forth the quantity of coal therein, and shall receive a fee of ten cents therefor from the seller; and for each and every cart measured and examined, as provided for in this ordinance, the said inspectors, or assistant inspectors, shall be entitled to receive a fee of fifty cents; and for each and every cart re-examined as aforesaid, they shall be entitled to receive a fee of twenty-five cents.

Sec. 8. Be it further ordained, That it shall be the duty of such inspectors and assistant inspectors to keep separate books of certificates for wood and coal, with marginal counterparts, which books shall at all times show the number of loads of wood and coal inspected.

[illegible] the certificate so furnished by said inspectors shall be delivered to the purchaser or purchasers of such load of wood, coke or coal that may be sold or delivered in the city of New Orleans, and any vendor or vendors of firewood or coal selling, delivering, or causing to be delivered, any load or loads of wood or coal without such certificate, or any wise offending the provisions of this ordinance, shall, on conviction thereof before the Recorder of the District in which the offense may be committed, be fined in a sum not less than twenty five dollars nor more than fifty dollars, one-half of which fine shall inure to the benefit of the informer, if such informer be a private citizen, and in default of payment shall be imprisoned not less than ten days, nor more than twenty days; and the Recorder shall order such wood or coal to be confiscated for the use of the city, or of such charitable institution as he may deem proper, and it is hereby made the duty of all police officers to attend to the enforcement of this ordinance.

Sec. 10. Be it further ordained, That if any person shall molest or interrupt, or intermeddle in any way or manner, with any of the said inspectors of this city when in the performance of their official duties, every such person so offending shall, on conviction thereof before the Recorder of the District in which the offense may be committed, forfeit and pay to the city of New Orleans for every such offense a sum not exceeding fifty dollars, with costs of prosecution.

Sec. 11. Be it further ordained, That all ordinances, or parts thereof, in conflict herewith be and the same are hereby repealed; and this ordinance shall take effect and be in force from and after the first day of May, 1870.

On the question of adopting the ordinance as a whole, the roll was called, and the ordinance was unanimously adopted.

Administrator West called up the ordinance, laid over from last meeting, to provide for the preservation of cleanliness in the city. The title and first section were read, as follows:

An ordinance to promote the cleanliness and salubrity of the city.

Section 1. Be it ordained by the Council of the city of New Orleans, That ordinary refuse and sweepings from stores, dwelling houses and other tenements, and kitchen offal, shall be deposited in tubs, boxes, barrels, baskets, or other suitable receptacles, and be placed on the outside of the banquettes, convenient to be taken off by the offal carts; and that from the fifteenth of March to the fifteenth of October such deposits shall be made not earlier than three o'clock A. M. nor later than six o'clock A. M.; and from the fifteenth of October to the fifteenth of March such deposits shall be made not earlier than three o'clock A. M. nor later than half past seven o'clock A. M., and the receptacles used as above shall not be left on the banquettes after the hour of 9.30 A. M. during the year.

Mr. Shaw objected to the early hours fixed, as being likely to inflict hardship on the employes of stores.

After debate, Mr. West amended the section so as to read:

"From the fifteenth of March, to the fifteenth of October, such deposits shall be made not earlier than three o'clock A. M., nor later than seven o'clock A. M.; and from the fifteenth of October to the fifteenth of March such deposits shall be made not earlier than three o'clock A. M., nor later than eight o'clock A. M."

The section thus amended was adopted.

The next section was adopted as follows:

Sec. 2. Be it ordained, etc., That any person who shall fail to comply with the preceding section, or who shall make any such deposit, except within the hours of the day that are therein specified, shall be liable to a fine of not less than five dollars, or more than twenty-five dollars for each and every offense, to be recovered, with costs of suit, in the Recorder's court of the district wherein the offense was committed; and the fines so collected shall be paid over to the Administrator of Finance, and accrue to the benefit of the Metropolitan police tax.

On section three, which was as follows:

Sec. 3. Be it ordained, etc., That the Administrator of Improvements is hereby instructed to have ten thousand copies of this ordinance printed on slips, for circulation throughout the city.

Administrator Bonzaño (Assessments) suggested that the notices should be printed in different languages.

Administrator West consented to amend by providing that a certain proportion of the slips should be printed in the German, French and Spanish languages.

The two last sections were adopted without question:

Sec. 4. Be it ordained, etc., That all ordinances, or parts of ordinances, in conflict with this ordinance are hereby repealed.

Sec. 5. Be it ordained, etc., That this ordinance shall take effect on and after the first day of May proximo.

The question then came up on the adoption of the ordinance as a whole.

The roll being called the following members voted:

Yeas: West, Delassize, Emley, Pierce, Walton and Bonzano.

Nays: Shaw.

Six yeas, one nay. The ordinance was declared adopted.

New Business.

Administrator Pierce (Police), offered the following ordinance, which was adopted:

An ordinance establishing a Pound for the Sixth (6) District of New Orleans.

Section 1. Be it ordained by the Council of the city of New Orleans, That from and after the passage of this ordinance it shall not be lawful for any person or persons to allow any horse, mule, cow, hog, sheep, goat, or any other animal to run at large within the limits defined by this ordinance.

Sec. 2. Be it further ordained, That there shall be established a Sixth (6) Pound District, which shall be comprised within the following named lines, viz: From the centre of Toledano street on the lower line, to include Joseph street on the upper line, and from the levee in front, to include Apollo street in the rear.

Sec. 3. Be it further ordained, That the provisions of ordinance No. 347, new series, approved December 14, 1866, shall hereafter apply to the Sixth (6) District in the same manner as it provides for the government of Pounds already established in the First, Second, Third and Fourth Districts of New Orleans.

Sec. 4. Be it further ordained, That all ordinances or parts of ordinances contrary to the provisions of this ordinance be and the same are hereby repealed.

Sec. 5. Be it further ordained, That this ordinance shall take effect five (5) days after its publication in the official journal.

Mr. Pierce offered the following resolution:

Be it resolved, That the Recorders be and that they are hereby directed to open and hold their respective courts at five o'clock A. M.

Mr. Shaw objected to the resolution on the ground that it would be a hardship on both the Recorders and prisoners, the latter of whom would be unable at that early hour to obtain either counsel or bail or to send for friends, and moved that its consideration be postponed.

The Mayor explained that the resolution only revived a practice which had fallen into desuetude. The object of the resolution was to enable the Recorders to dispose of the minor cases of arrest made during the night for drunkenness and similar offences, so that the officers making the arrests might be able to go home to rest, and so that the persons arrested might be released in time to go about their daily avocations.

Mr. West seconded the motion for a postponement of the resolution, and, on a division, the motion was carried by 4 to 3.

Resolution postponed accordingly.

Administrator Pierce also offered the following ordinance, which was read and adopted.

[illegible] duty of the City Physician, or any one acting as such, to visit daily any hospital or hospitals to which small-pox patients may be sent at the expense of the city; and that it shall be his duty to report to the Mayor the number and condition of such patients, and that he be empowered to order the discharge of any such as he may deem convalescent.

The Council, on motion made, adjourned till to-morrow evening, at seven o'clock.

H. CONQUEST CLARKE,
Secretary pro tem.

ADJOURNED MEETING.

City Hall, April 23, 1870.

The Council met pursuant to adjournment at seven o'clock.

Roll called.

Present—Mayor Flanders; Administrators West, Shaw, Delassize, Emley, Pierce, Walton and Bonzano.

Reading of the minutes of last meeting dispensed with.

Administrator Shaw (accounts) presented an ordinance providing a special tax for park purposes, remarking that the passage of the ordinance was rendered obligatory on the Council by the Legislature, whether they approved it or not.

The ordinance was read as follows:

An ordinance to impose and levy an annual tax to establish the "New Orleans Park."

Whereas, By section seven of an act of the Legislature, entitled "An act to establish a public park for the city of New Orleans, and to provide means therefor," approved March 16 1870, it is made obligatory on the city of New Orleans to impose and levy for the purposes of said act an annual tax of one-eighth of one per cent on the assessed value of all the real, personal and mixed property taxed by the city for any other purpose; therefore,

Be it ordained by the Council of the city of New Orleans, That the said tax of one-eighth of one per cent be and is hereby imposed and levied in obedience to the requirements of said act.

The ordinance was laid over under the rules to be taken up at the next regular meeting.

A petition of Thomas McKnight with regard to the taxes on his sprinkling carts was referred to the Administrator of Improvements.

A communication from Dr. C. B. White, president of the Board of Health, enclosing a special report from Dr. A. W. Perry, with regard to the sanitary condition of certain parts of the city, was referred to the Administrator of Police.

A communication from the Rev. T. W. Conway, State Superintendent of Education, asking the approval of the Council to the amount of fund fixed for the treasurer of the Board of School Directors (twenty-five thousand dollars), was read and referred to the Administrator of Accounts.

A communicatian from Mr. Daggs was referred to the Department of Improvements.

A petition from the Chatanooga Railroad asking permission to erect a shed for the storing of locomotive engines, bounded by Water, Calliope, Pilie and St. Joseph streets; also to erect on the opposite corner a shed for storing passenger cars, was referred to the Department of Improvements.

A petition from the lessee of Le Breton Market, asking for relief, was referred to the Department of Commerce.

Administrator Shaw (Accounts) offered a resolution appropriating to the Home of the Aged and Infirm $150, and to the Jewish Orphan Asylum the amount provided by law.

Carried.

Administrator Bonzano (Assessments) announced that he had appointed Mr. Charles Ingalls his Chief Clerk.

The Jackson Railroad Stock.

Mayor Flanders said: Administrators, under the appointment of the Council last evening, the committee composed of the Administrators of Finance and Commerce and myself, have endeavored to arrive at some conclusion in regard to the course which the interests of the city require us to take with respect to the sale of the city stock in the Jackson Railroad Company. We have made a careful inquiry as to the effect of such sale upon the city's interest, and after a careful reference to the law and the facts, we have been unable to arrive at any conclusion which will enable us to recommend anything on the subject. We find the whole question involved in very great difficulties, and though there is unquestionably, as I stated last evening, a great risk of the city losing both its stock and the amount tendered for it, we find it far from easy to determine what is best to be done. The law suits which are being prosecuted with regard to this stock tend to excite the public mind, and every movement and every act we make in regard to this matter is liable to misrepresentation, but our duty is clear, and that is to do what in our judgment is best for the interest of the city. This is all we can say at present, and it is for the Council to say whether they will leave the matter in our hands for further consideration, or whether they will discharge the committee.

Administrator Shaw moved that the matter be left in the hands of the committee for further consideration.

Administrator West seconded the motion, which was unanimously carried.

The Council then adjourned.

H. CONQUEST CLARKE,
Secretary pro tem.

OFFICIAL NOTICES---CITY.

Mayoralty of New Orleans, City Hall, April 19, 1870.

[No. 17—Administration Series.]

An ordinance levying a special tax of three-quarters of one per cent for Metropolitan Police purposes.

Be it ordained by the Council of the city of New Orleans—

Section 1. That in conformity to the provisions and requirements of an act of the Legislature, approved March 8, 1869, entitled "An act to amend and re-enact an act entitled 'an act to establish a Metropolitan Police District, and to provide for the government thereof, approved September 14, 1868,'" and in order to provide the means to pay and discharge the annual estimate and apportionment, apportioned and estimated against the city of New Orleans by the Board of Metropolitan Police, convened as a board of estimate and apportionment, as provided in the twenty-seventh section of said act, which apportionment and estimate have been duly notified to the city of New Orleans, wherein it appears that the sum of seven hundred and seventy-nine thousand one hundred and thirteen dollars and ten cents is apportioned and estimated as the amount due and to be paid on account of the Board of Metropolitan Police for the year ending on the thirtieth day of September, A. D. 1870, by the city of New Orleans as it existed on the first day of October, A. D. 1869, that there be and hereby is assessed and levied a special tax of three quarters of one per cent upon the assessed value of all property within the city of New Orleans, both real and personal, as valued and assessed in the assessment rolls of property in the city last completed; provided that the special tax authorised by this ordinance shall not be levied upon any property situate or assessed within the limits of the late City of Jefferson, or that portion of the parish of Orleans situated on the right bank of the Mississippi river, or any portion of the territory included within the present city of New Orleans upon which a special tax for the same purpose has been levied during and for the current year.

[illegible]

OFFICIAL NOTICES---CITY

That said special tax of three-quarters of one per cent levied by this ordinance is hereby declared to be due and exigible from and after the promulgation of this ordinance; and that the Administrator of Public Accounts be and is hereby instructed to cause to be prepared and delivered to the Administrator of Finance, with the least possible delay, the special tax bills necessary for the enforcement and collection of said special tax; and that the Administrator of Public Accounts be and is hereby authorized to employ such additional clerical force as may be necessary to accomplish the object of this ordinance; and, further, that such sum of money as may be necessary therefor be and the same is hereby appropriated for that purpose, to be paid from the fund set apart as a contingent fund.

Adopted by the Council of the city of New Orleans, April 19, 1870, the following members being present and voting:

Yeas: West, Shaw, Delassize, Emley, Pierce and Walton.

Nays: None.

BENJ. F. FLANDERS, Mayor.
H. Conquest Clarke, Secretary.

Mayoralty of New Orleans, City Hall, April 19, 1870.

[No. 18—Administration Series.]

An ordinance relative to Markets, appointment of Inspectors thereof, prescribing penalties for certain offenses, abolishing the office of Commissaries, and repealing laws inconsistent herewith.

Section 1. Be it ordained by the Council of the city of New Orleans, That in the month of April, 1870, and annually thereafter, the Administrator of Commerce shall nominate, and by and with the consent of the Council, appoint such number of inspectors as the said Administrator of Commerce and the Council may deem necessary, whom he may assign to duty in such parts of the city as he may deem advisable, and transfer them therefrom at his pleasure.

Sec. 2. Be it further ordained, That it shall be the duty of each inspector to visit and inspect daily all places within the limits to which he may be assigned, where cattle or other animals are exposed for sale, or slaughtered and prepared for food, or other provisions are offered for sale or sold, and forbid and prevent, by all lawful means, the preparing or offering for sale, or selling by any person, of any blown or tainted or unwholesome provisions, meats of any animal that may be infected with or have died of any disease, or any articles of food calculated to be injurious to health. It shall also be his duty to see that the farmers or lessees of the several public or private markets of this city cause the stalls, stands or tables of their respective markets or places to be scraped, washed and cleaned daily, and that the markets, places and stalls aforesaid are kept in the highest state of cleanliness possible; that the scales and weights used in the said markets or other places, by butchers or other vendors of articles of food therein, are proved and stamped in accordance with law; that the farmers or lessees of the public markets observe and comply with all the stipulations and conditions of the various ordinances or contracts under which said market or markets may be so leased, farmed or hired out, and perform all other duties heretofore imposed by law on commissaries of markets not inconsistent herewith; and it is hereby made an offense, punishable as hereinafter provided, for any violation by any person of the terms of this ordinance.

Sec. 3. Be it further ordained, That it becomes and is hereby made the duty of each inspector to seize or cause to be seized such meat or other articles of food as may be found by him to be blown, tainted or unwholesome, and arrest or cause to be arrested the person or persons so slaughtering, preparing or exposing for sale, or selling, or that may have sold such meat or other articles of food, and immediately have such person or persons tried before the Recorder of the district in which the offense may have been committed. And it is hereby made the duty of such Recorder, on due proof being presented to him of such offense, to condemn the offender or offenders to pay a fine of not more than one hundred dollars, or less than fifty dollars, for each offense, one-half of which fine shall inure to the benefit of the informer, if such informer be a private citizen; and in default of payment, such offender or offenders shall be imprisoned not more than thirty, nor less than fifteen days; and the said Recorder shall dispose of or destroy the said meat or other article of food, as he may deem proper.

And it is further provided, that any violation of the provisions relative to the cleaning of stalls, markets, or other places, the keeping of legal weights and measures, by any person, and the infraction of the conditions and obligations imposed upon the farmers and lessees, shall be punished by a fine of not less than twenty-five, nor more than fifty dollars.

Sec. 4. Be it further ordained, That each inspector shall receive an annual salary of fifteen hundred dollars, payable monthly, on rolls to be prepared by the Administrator of Commerce, and said inspectors shall be under the control and supervision of said Administrator, and to whom they shall report each and every infraction of the provisions of this ordinance.

Sec. 5. Be it further ordained, That in the event of any of the public markets of the city not being farmed, leased or hired out for any year or part of a year, or that the farmers or lessees of one or more of such markets should be placed in default, and their market or markets revert to the city, the said Administrator of Commerce shall moreover nominate, and by and with the advice and consent of the Council, appoint a fit and proper person for each of such markets, to take charge of and perform all the duties and obligations that are now or may hereafter be imposed upon by the farmers or lessees of markets. Such officer or officers shall, moreover, upon furnishing bond and security in such sum and with such security as shall be required and approved by the Administrator of Finance, shall collect and receive for the account and benefit of the city, all such fees or market dues as are or may be charged for the use of stalls in markets by present or future ordinances, and pay over and deliver all moneys so collected unto the Administrator of Finance, each and every day before the hour of two o'clock P. M.

Sec. 6. Be it further ordained, That the officers appointed under the above section shall have and receive a commission of five per centum on all moneys so collected for and paid into the city, as full compensation of all services they may render.

Sec. 7. Be it further ordained, That the office of commissary of markets be and the same is hereby abolished, and that all ordinances or parts thereof in conflict herewith be and the same are hereby repealed.

Adopted by the Council of the City of New Orleans, April 19, 1870.

BENJ. F. FLANDERS, Mayor.
H. Conquest Clarke, Secretary.

Mayoralty of New Orleans, City Hall, April 19, 1870.

[No. 26—Administration Series.]

Resolved, That the Mayor be and he is hereby authorized to sign and execute, on behalf of the city, the requisite acts before the City Notary to secure and carry into effect; first, the contract with Peter Markey, under resolution No. 7, for 50,000 feet of lumber; and, second, the contract with William Henry, under resolution No. 9, for 2000 barrels of lake shells.

Adopted by the Council of the city of New Orleans, April 19, 1870.

BENJ. F. FLANDERS, Mayor.
H. Conquest Clarke, Secretary.

Mayoralty of New Orleans, City Hall, April 19, 1870.

[No. 23—Administration Series.]

Whereas, The present residence of the Engineer of the Waterworks, within the Waterworks enclosure, has been declared by the City Surveyor as untenantable and utterly beyond repair; and

Whereas, The building used as a carpenter shop in said enclosure can, with slight alterations, be made suitable for a dwelling; therefore be it

Resolved, That the Administrator of Waterworks and Public Buildings be and is hereby authorized to set apart the building now used as a carpenter's shop, in the Waterworks enclosure, for the use of the Engineer of said works as a dwelling, and that he be authorized to make such repairs as may be necessary; the expense thereof not to exceed $500.

Adopted by the Council of the city of New Orleans, April 19, 1870.

BENJ. F. FLANDERS, Mayor.

OFFICIAL NOTICES---CITY.

Mayoralty of New Orleans, City Hall, April 19, 1870.

[No. 20—Administration Series.]

Resolved, That ordinance No. 1637, new series, approved December 24, 1869, making a special appropriation of the levee dues for the repairs of the wharves and bulkheads, be hereby repealed, and that the Administrator of Finance be hereby authorized to transfer the balance of $427 46 now remaining in bank to the credit of said appropriation, to the general funds of the city.

Adopted by the Council of the city New Orleans, April 19, 1870.

BENJ. F. FLANDERS, Mayor.
H. Conquest Clarke, Secretary.

Mayoralty of New Orleans, City Hall, April 19, 1870.

[No. 21—Administration Series.]

Resolved, That the Administrator of Public Accounts warrant on the Administrator of Finance in favor of the following asylums for the sums respectfully set opposite their names, being their quarterly allowance for charity to March 31, 1870, in conformity with article 716, Revised City Laws and Ordinances:

St. Joseph German Asylum, two hundred and one orphans, seven hundred and three dollars and fifty cents	$703 50
St. Mary's Male Orphan Asylum, three hundred and sixty-five orphans, twelve hundred and seventy-seven dollars and fifty cents	1277 50
Protestant Orphans' Home, Seventh street, one hundred and twenty-five orphans, four hundred and thirty-seven dollars and fifty cents	437 50
Orphan Girls' Immaculate Conception Asylum, ninety orphans, three hundred and fifteen dollars	315 00
St. Elizabeth Female Orphan Asylum, one hundred and fifty-two orphans, five hundred and thirty-two dollars	532 00
Orphans' Home Society Asylum, one hundred orphans, three hundred and fifty dollars	350 00
Sisters' of Mount Carmel Asylum, one hundred and eighty-three orphans, six hundred and forty dollars and fifty cents	640 50
St. Vincent Infant Orphan Asylum, with nurses, two hundred dollars	200 00
St. Vincent Infant Orphan Asylum, one hundred and sixty-three orphans, five hundred and seventy dollars and fifty cents	570 50
New Orleans Female Orpham Asylum, one hundred and ninety-six orphans, six hundred and eighty-six dollars	686 00
St. Vincent Home Boys' Asylum, seventy-four orphans, two hundred and fifty-nine dollars	259 00
And in favor of the House of the Good Shepherd for their quarterly allowance of charity to March 31, 1870, as per ordinance 456, new series, for one hundred and fifty inmates, five hundred and twenty-five dollars	525 00

Adopted by the Council of the city of New Orleans, April 19, 1870.

BENJ. F. FLANDERS, Mayor.
H. Conquest Clarke, Secretary.

Mayoralty of New Orleans, City Hall, April 19, 1870.

[No. 22—Administration Series.]

An ordinance declaring the fiscal year and regulating the assessment of incomes.

Be it ordained by the Council of the city of New Orleans—

Section 1. That the fiscal year of the city of New Orleans be and is hereby declared to commence on the first day of January, and to end on the thirty-first day of December of each year.

Sec. 2. Be it further ordained, etc., That the department of assessment, in estimating and assessing the value of the income of any individual or corporation, as provided in the city charter or act of incorporation, shall estimate and assess the income that has accrued to such individual or corporation during the last fiscal year next preceeding the date of such assessment.

Sec. 3. Be it further ordained, etc., That this ordinance take effect and be in force from and after its adoption and promulgation.

Adopted by the Council of the city of New Orleans, April 19, 1870.

BENJ. F. FLANDERS, Mayor.
H. Conquest Clarke, Secretary.

Mayoralty of New Orleans, City Hall, April 19, 1870.

[No. 24—Administration Series.]

Resolved, That the Administrator of Waterworks and Public Buildings be and is hereby authorized to advertise by ten days' notice in the official journal, for proposals to furnish the following materials for the use of the Waterworks:

One bar cast steel, three-fourths inch, square.

One bar cast steel, three-fourths inch, octagon.

Two bars Tennessee iron, one inch, square.

Two bars Tennessee iron, one inch, round.

Two bars Tennessee iron, one and one-fourth inch.

Two bars refined iron, one and three-eighths inch.

Two bars refined iron, one and one-half and three-eighths inch.

One bar refined iron, two and a half and three-fourths inch.

One and a half dozen assorted files.

Eight barrels cement.

One barrel tallow.

One hundred pounds white lead.

One hundred pounds hemp twine.

One hundred pounds three-fourths inch washers.

One hundred pounds packing yarn.

One hundred pounds joint bolts, four inches long.

One dozen pick handles.

One-half dozen Ames long handle shovels.

One-half dozen Ames long handle spades.

Twenty-five yards rubber cloth.

One ball cotton.

Five dozen cast-iron washers, foundry work.

One dozen hollow brass screws, foundry work.

One dozen fire plug hinges, brass, foundry work.

One dozen fire plug copper rod, foundry work.

Two dozen fire plug front catches, foundry work.

One hundred pounds list packing.

Three thousand feet of one and a quarter inch cypress.

One thousand feet of one and a half inch cypress.

Five hundred feet of one inch cypress.

Five hundred feet of three quarters inch pine.

One keg of six-penny nails.

One keg of ten-penny nails.

One keg of twenty-penny nails.

Adopted by the Council of the city of New Orleans, April 19, 1870.

BENJ. F. FLANDERS, Mayor.
H. Conquest Clarke, Secretary.

Mayoralty of New Orleans, City Hall, April 19, 1870.

[No. 25—Administration Series.]

Resolved, That the Administrator of Waterworks and Public Buildings be and is hereby authorized to advertise, by ten days' notice in the official journal, for proposals to make the necessary repairs to the building enclosing the old engine of the Waterworks; also to the reservoir; said repairs to be made in accordance with plans and specifications to be furnished by the City Surveyor.

Adopted by the Council of the city of New Orleans, April 19, 1870.

BENJ. F. FLANDERS, Mayor.
H. Conquest Clarke, Secretary.

Mayoralty of New Orleans, City Hall, April 19, 1870.

[No. 19—Administration Series.]

Whereas, A number of licenses have been issued for smaller sums than the city is entitled to, which evil it is necessary to correct; therefore, be it

Resolved, That the Administrator of Finance be authorized, upon application of the persons holding such improper licenses, to refund the amount, upon the warrant of the Administrator of Public Accounts, in part payment of the new licenses properly issued.

Adopted by the Council of the city of New Orleans, April 19, 1870.

BENJ. F. FLANDERS, Mayor.