New Orleans Republican.

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OFFICIAL JOURNAL OF NEW ORLEANS

CITY COUNCIL—OFFICIAL

REGULAR MEETING.

CITY HALL, NEW ORLEANS, August 30, 1870.

Mayor Flanders called the Council to order at half-past seven P. M., and presided over the meeting.

The roll was called.

Present: Administrators J. R. West (Improvements), Alfred Shaw (Accounts), L. T. Delassize (Public Buildings), S. C. Emley (Commerce), E. W. Pierce (Police), J. S. Walton (Finance), and H. Bonzano (Assessments).

Reading of minutes dispensed with.

Department Reports.

By Mr. West:

DEPARTMENT OF IMPROVEMENTS, August 29, 1870.

To the City Council of New Orleans:

I have the honor to report that the services of the following officers and clerks in this Department are no longer necessary to the public interest, viz:

John G. Longstreet, Superintendent Bureau City Drainage; H. M. Holbrook, Draughtsman Bureau City Drainage; James Allan, Clerk, Bureau Wharves and Landings, and respectfully recommend that they be removed, to date from August 31, 1870, in accordance with section eleven of the city charter.

J. R. WEST, Administrator.

Mr. Shaw asked on what grounds the Administrator of Improvements recommended this action.

The Mayor remarked that the grounds were stated in the report.

Mr. Shaw wanted further information.

Mr. West stated that at the time of the original organization of his department it was necessary to take active measures with regard to the canals and drainage. That necessity had passed, and consequently he was able to dispense with the services of the Superintendent of the Bureau of City Drainage and his clerk, which was a saving to the city of about five thousand dollars a year.

The report was received and the action of the Administrator was confirmed.

By Mr. West:

DEPARTMENT OF IMPROVEMENTS, August 30, 1870.

To the City Council of New Orleans:

I have the honor to report the suspension of:

John Davis, ward superintendent, fourth ward.

William Pease, ward superintendent, Algiers.

John F. Winston, watchman nuisance boat, Fourth District.

And the appointment of:

Richard M. J. Kenner, ward superintendent, fourth ward.

Oscar Elmore, ward superintendent, Algiers.

Moses Briggs, watchman nuisance boat, Fourth District, in their stead, and recommend the renioval of the suspended persons, to date from August 31, 1870, for the reason that the new appointees are considered more competent for the discharge of their duties.

J. R. WEST, Administrator.

Received and ratified.

By Mr. Delassize:

DEPARTMENT OF WATERWORKS and Public Buildings, August 30, 1870.

To the City Council of New Orleans:

Before the opening of the public schools of the city, it is necessary, for the preservation of city property, that repairs be made, to a greater or less extent, to each of the schoolhouses; and as the work to be done is of a character not to admit of the extended specification required in letting work by contract, I respectfully ask authority to make the necessary repairs, and that an appropriation be made for said purpose.

L. T. DELASSIZE, Administrator.

Resolved, That the sum of twenty thousand dollars be and is hereby appropriated for repairs to the public schoolhouses of the city, said sum to be expended under the direction of the Administrator of Waterworks and Public Buildings according to law.

Read twice and laid over.

By Mr. Bonzano:

Resolved, That the Administrator of Public Accounts, be and is hereby authorized to warrant on the Administrator of Finance in favor of Eugene Sadot, for twenty-three dollars and seventy-five cents ($23 75). Said amount having been paid into the treasury in consequence of an error in tax bill No. 2538, in charging said Sadot with tax on $1800 valuation of a vacant lot 40 by 90 in square 227, Eighth Assessment District, instead of the original and correct assessment of $800.

Adopted.

By Mr. Bonzano:

Report by the Administrator of Assessments on the petition of Daniel Edwards, machinist, in square 2 A, fourth assessment district, New Orleans.

DEPARTMENT OF ASSESSMENTS, August 30, 1870.

To the City Council of New Orleans:

The report from this department on the petition of Mr. Edwards, under date of July 26, 1870, and granting no relief, was made with the erroneous impression that his property in square A, fourth assesment district, was assessed for 1869 at $20,000. Upon further examination I find that the assessment was $38,000, and that the building now occupied by him as a foundry and machine shop was in course of construction when the assessment was made, and not tenable until the fall of 1869. I therefore recommend a reduction in the assessment of $10,000, and offer the annexed resolution.

Resolved, That the Administrator of Public Accounts be and he is hereby authorized to furnish the Administrator of Finance with a corrected tax bill for 1869 against Daniel Edwards, with an assessment on his property in square A, fourth assessment district, of $28,000, in lieu of the erroneous amount of $38,000.

H. BONZANO, Administrator.

Adopted.

By Mr. Bonzano:

Report by the Administrator of Assessments on the petition of Louis Fix, residing on Elysian Fields street, ninth assessment district, New Orleans.

DEPARTMENT OF ASSESSMENTS, August 30, 1870.

To the City Council of New Orleans:

Petitioner asks far a reduction of the assessment in 1869, on certain property in square seven, ninth assessment district, purchased by him in February, 1870, for $10,000 on terms.

Upon examination I find the price paid for the property would be a fair and just assessment, and that the assessment of $13,500 is exorbitant. I therefore recommend relief, and offer the annexed resolution:

Resolved, That the Administrator of Public Accounts be and is hereby authorized to furnish the Administrator of Finance with a corrected tax bill for 1869, against Louis Fix, making the following changes in the assessment, to-wit: Lot No. 2, square 7, ninth assessment district, 70 by 117, $9000 in lieu of $12,600; lot No. 25, same square and district, 27 by 70, $1000 in lieu of $1500.

H. BONZANO, Administrator.

Adopted.

By Mr. Bonzano:

Report by the Administrator of Assessments on the petition of Rice Brothers & Co., Nos. 89 and 91 Camp street.

DEPARTMENT OF ASSESSMENTS, August 30, 1870.

To the City Council of New Orleans:

Petitioners set forth that they were erroneously assessed on $100,000 capital invested in their business for the year 1869, and ask to have the assessment reduced to the correct amount of their capital—$60,000.

From the evidence produced I am convinced that this assessment is both excessive and arbitrary, and therefore recommend relief, and offer the annexed resolution.

Resolved, That the Administrator of Public Accounts be, and is hereby authorized to substitute and hand for collection to the Administrator of Finance a tax bill of sixty thousand dollars capital against Rice, Bros. & Co. for 1869, in lieu of the erroneous bill of one hundred thousand dollars.

H. BONZANO, Administrator.

The Mayor thought this resolution established a bad precedent. Why had not these gentlemen examined the assessment rolls and had the assessment corrected at the time?

Mr. Pierce moved the adoption of the report and resolution, which Mr. Emley seconded and the Council carried.

By Mr. Delassize:

DEPARTMENT OF WATERWORKS and Public Buildings, August 30, 1870.

To the City Council of New Orleans:

On consultation with gentlemen thoroughly versed in the operations of past administrations, I have ascertained that the privies attached to the various orphan asylums have always been emptied at the expense of the city. I therefore respectfully report in favor of the application of the directresses of the St. Elizabeth Asylum and St. Joseph German Asylum, referred to me, and ask the passage of the accompanying resolution.

L. T. DELASSIZE, Administrator.

Resolved, That the Administrator of Waterworks and Public Buildings, be and he is hereby authorized to cause the privies of the St. Elizabeth and St. Joseph German Orphan Asylums to be emptied, and that the Administrator of Public Accounts be authorized to warrant on the Department of Finance for the payment of the same.

Adopted.

By Mr. Walton:

Resolved, That ordinance No. 3148, approved June 26, 1857, appropriating three hundred dollars ($300) annually to the wardens of the church of St. Louis, for attending to the clock of the cathedral, be and the same is hereby repealed.

Laid over till the next meeting.

By Mr. Walton:

WHEREAS, A large number of old tax bills have been collected since this administration came into office, the amount of which has been included in our receipts for current expenses, because the returns from the Sheriff did not designate the proportions belonging to the different funds for payment of interest; and

Whereas, It is essential to the credit of city that the funds belonging to the bondholders should be faithfully preserved for the payment of interest and the redemption of the bonds; therefore,

Be it ordained, That the Administrator of Finance is hereby authorized and directed to deposit with the Fiscal Agent, to the credit of the several funds for payment of interest, the amounts belonging to these funds received from the Sheriff, as above stated.

Read twice and laid over.

By Mr. Walton:

An ordinance to regulate salaries in the Department of Finance

Be it ordained, That from and after the first September, 1870, the following salaries shall be paid in the Department of Finance, viz:

Deputy Administrator, $4000 per annum.

Book-keeper, $2400 per annum.

Six tax and license collectors, $1800, each, per annum.

Be it further ordained, That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Read twice and laid over.

By Mr. Pierce:

Be it resolved by the Council of the city of New Orleans, That the Administrator of Public Accounts be, and he is hereby authorized to warrant upon the Administrator of Finance for the August salaries of the sanitary inspectors, as follows:

Jules A. Mathieu, First District	$125 00
F. B. Albers, Second District	125 00
James F. Jackson, Third District	125 00
A. W. Perry, Fourth District	125 00
C. P. Ames, Fifth District	83 33
S. S. Herrick, Sixth District	125 00
Total	$708 33

Read twice and laid over.

By Mr. Pierce:

A resolution appropriating money to defray the expenses of the Department of Police for the month of August, 1870.

Be it resolved by the Council of the city of New Orleans, That the following sums of money are hereby appropriated to defray the expenses of the Department of Police for the month of August, 1870:

Administrators office	$100
Recorders' courts	400
Public squares	250
City Workhouse	950
Boys' House of Refuge	1,000
Girls' House of Refuge	213
Fire Alarm and Police Telegraph	5
Lighting city	23,000
City cemeteries	500
Parish Prison	50
Burying indigent dead and conveying sick to hospital	210
Public pounds	170
Total	$24,457

Read twice and laid over.

By Mr. Pierce:

A resolution appropriating money to pay the salary rolls of the Department of Police for the month of August, 1870.

Resolved, That the following sums be, and they are hereby, appropriated to pay the pay rolls of the Department of Police for the month of August, 1870, and that the Department of Public Accounts warrant on the Administrator of Finance accordingly:

Administrator's office	$600 00
Recorders' courts	3000 00
City Workhouse	800 00
Boys' House of Refuge	450 00
Girls' House of Refuge	75 00
Keeper City Park	60 00
Public pounds	450 00
Public squares	1750 00
Lighting market, Sixth District	10 00
Burying indigent dead and conveying sick to hospital	100 00
City cemeteries	300 00
Total	$7,655 00

Read twice and laid over.

By Mr. Pierce:

An ordinance providing for the settlement of certain claims against the city of New Orleans.

Be it ordained, etc., That the claim of James Coyle, for rent of the Fourth District pound for the month of December, 1869, amounting to fifty dollars, be and the same is hereby approved, and that it be paid in conformity with the provisions of ordinance No. 197, administration series, adopted June 21, 1870.

Adopted.

By Mr. Delassize:

An ordinance appropriating money to pay the salary rolls of the Department of Waterworks and Public Buildings for the month of August, 1870.

Be it ordained by the Council of the City of New Orleans, That the following sums be appropriated to pay the salary rolls of the Department of Waterworks and Public Buildings for the month of August, 1870, and that the Administrator of Public Accounts warrant on the Department of Finance accordingly:

General office	$383 33
Waterworks office	1,408 31
Waterworks proper	1,479 00
Insane Asylum	470 00
Keeper of Courthouses	200 00
Home of Aged and Infirm	50 00

Read twice, and laid over.

By Mr. Shaw:

An ordinance to provide for the punctual payment of employes and officers of the city of New Orleans, and to prevent the traffic and sale in and discounting of wages and certificates for work performed due by the city.

SECTION 1. Be it ordained by the Council of the city of New Orleans, That upon the discharge of laborers or persons employed by the day by any department of the city government, the Administrator of the Department shall, within twenty-four hours, submit to the Administrator of Public Accounts a statement of the name or names, the number of days for which pay is due, and the rate of wages, and upon the approval thereof by the Mayor, the Administrator of Public Accounts shall immediately draw up a pay roll and issue his warrant therewith to the Administrator of Finance for the payment of the same.

SEC. 2. Be it further ordained, etc., That in all other cases laborers and employes by the day shall be paid weekly and the Administrator of the Department for which the labor is performed shall on Saturday morning of each week make a statement of the names, wages and number of days due for the previous week, which for this purpose, shall be considered as beginning with Saturday, and ending with Friday; and the Administrator of Public Accounts upon the approval thereof by the Mayor shall immediately draw up a pay roll, and transmit the same to the Administrator of Finance, with his warrant for its payment; and such payment shall be made at the Department of Finance, between the hours of seven and nine, or as soon thereafter as practicable on Saturday evening.

SEC. 3. Be it further ordained, etc., That the necessary amount be and is hereby appropriated for the purposes of this ordinance; and all warrants issued and payments made in accordance herewith shall be reported monthly to the Council by the Administrators of Public Accounts and of Finance.

SEC. 4. Be it further ordained, etc., That on the Saturday preceding the last Tuesday of each month the Mayor and several administrators shall furnish the Administrator of Public Accounts with lists of the officers, clerks and other monthly employes in their respective departments, the time due and rate of salary of each, and the Administrator of Public Accounts shall audit and examine the same and offer ordinances on the last Tuesday of the month for the payment of such amounts as may be due, which shall pass to a second reading, and be subject to a third reading on the first Tuesday of the following month. Should any ground for deduction or abatement of salary occur between the Saturday preceding the last Tuesday, and the close of the month, the same shall be notified to the Administrator of Public Accounts in order that the correction may be made by amendment on third reading. And upon final passage the Administrator of Public Accounts shall make and furnish to the Administrator of Finance pay rolls with the names and amounts due to each person, with his warrant for the payment thereof according to the appropriation made and passed.

SEC. 5. Be it further ordained, etc., That no certificate of salary or time shall be delivered by any department to any officer or employe, and that all certificates of work or contract performed or money and accounts due by the city, shall be transmitted by the respective departments direct to the Administrator of Public Accounts, who shall act immediately thereon or submit the same to the Council as may be required by law and ordinances; and no certificates of moneys and accounts due shall be delivered by any department to the parties claiming them, except warrants upon the Administrator of Finance, or certificates or bonds due under ordinances 197 and 309, and the several ordinances supplementary thereto; it being the true intent of this ordinance to discourage traffic in the immature obligations of the city, and prevent the losses and frauds occasioned thereby; and to facilitate and secure to the parties to whom they may be due the prompt payment or settlement of all current obligations of the city.

SEC. 6. Be it further ordained, etc., That no officer, laborer or other employe shall be allowed by the Administrator of Finance to draw his pay by order to any other person or transferee, except in case of sickness or absence from the city at the time of payment; and payments shall be made, as far as practicable, at the, office of the Administrator of Finance, to the payee individually, who shall duly receipt therefor.

Read twice, and laid over.

By Mr. Shaw:

An ordinance providing for the payment of the several accounts therein named.

Be it ordained, That the following appropriations be and are hereby made, and that the Administrator of Public Accounts warrant on the Administrator of Finance in payment of the same:

C. H. Luzenberg, District Attorney, for criminal prosecutions in First District Court during the month of August, 1870, approved by Judge of the First District Court, $555.

Steel & Co., for stationery furnished Department of Public Accounts, $22 50. Steel & Co., for stationery furnished City Attorney, $13 10—$35 60.

John Sale, for half amount of fine imposed on Joseph Teranto by G. P. Houghton, Recorder First District, for doing business without the necessary license, fined $5, August 19, 1870, $2 50.

A. C. Lewis, expenses on trip to Monroe, Louisiana, in obtaining writ of mandamus in Ship Island Canal Company case, telegrams, etc., $110.

Andrew Hero, Jr., City Notary, for twenty-two copies of various acts furnished Department of Public Accounts, $88. Andrew Hero, Jr., for sundry copies furnished Mayor's office, and one to City Attorney, $24—$112.

German Gazette, advertizing notice to taxpayers, approved by Administrator of Finance, $17 25.

S. Guthrie, Inspector of Licenses Fifth District, for cash paid for use of horse and buggy and ferriage, approved by the Administrator of Finance, $5.

William Grandison, for services as porter in the courthouse building during interim of keeper's appointment from March 10 to 22, 1870, inclusive, thirteen days, at one dollar per day, approved by Administrator of Public Buildings, $13.

John Moylan, for services rendered as Commissary of Sixth District during the month of April, 1870, approved by Administrator of Improvements, $20.

Commercial Bulletin, for twelve months subscription from July 7, 1870, $16; for advertising editorial notices, $6; approved by Administrator of Finance—$22.

New Orleans Bee, for advertising notice to delinquent taxpayers in French and English for Department of Finance, approved by Administrator of Finance, $22.

Robert R. Ray, for half amount of fines imposed by G. P. Houghton, Recorder First District: P. Farrell, $10; Mrs. Heiret, $5; John Tobin, $10. Total $25, for doing business without the necessary license, which were duly paid, signed by G. P. Houghton, Recorder First District, $12 50.

John Klein, transferee of George Scanlan, for sixteen days' services as juror in the First District Court, parish of Orleans, during the month of July, 1870, at $3 per day, $48.

John Lynch, Surveyor General of Louisiana, for plan and process verbal of survey of claim of Danial Clark, O. B., 104, approved by the late Finance Committee and the Mayor, $25.

A. M. Holbrook, (Picayune office), for sundry advertisements relating to floating debt, transferees of pay rolls, printing minutes City of Jefferson, etc., $259.

Paul Bruce, for sexton's fees of the Sixth District Cemetery for the months of March, April, May, June and July, 1870, approved by Administrator of Police, $96 50.

Paul Bruce, for salary of sexton of the Sixth District Cemetery, for the months of April, May, June and July, 1870, at thirty dollars per month, approved by the Administrator of Police, $120.

Pay roll Department of Finance for the month of August, 1870, viz:

Department of Finance, $1606 66, markets (collectors), $81—$1687 66.

Clarendon Davidson, for salary, one month's services as Librarian, for the month of August, 1870, $150.

Samuel Jackson, assistant librarian for the month of August, 1870, $50.

Salary of Mayor and Administrators for the month of August, 1870, $4125.

Firemen's Charitable Association, for amount due them for the month of August, 1870, as per contract, $10,000.

A. W. Dearie for repairs to locks, etc., in the City Hall, $3.

John W. Madden for stationery furnished Department of Finance, and approved by Administrator of Finance, $17 65.

John W. Madden for stationery furnished Department of Public Accounts, $163 25.

Commercial Bulletin, for one years' subscription for Mayor's office, and approved by the Mayor, $16.

A. M. Holbrook, (New Orleans Picayune), for advertising notice to taxpayers for Department of Finance, and approved by Administrator of Finance, $44.

New Orleans Times, for three papers furnished daily for one year, approved by the Mayor, $48.

New Orleans Republican Printing Company, for advertising tax list from August twenty-third to twenty-ninth, 1870, $5370.

Swabrick & Co., for mops, brooms, soap, etc., furnished City Hall, approved by the Mayor, $29 75.

Steel & Co., for stationery furnished Mayor's office and City Council, approved by the Mayor, $32 45.

Pay roll of employes Mayor's office and City Hall, for the month of August, 1870, $1635.

New Orleans Republican Printing Company, for publishing ordinances during the month of August, 1870, $291 25; New Orleans Republican Printing Company, for advertising regular meetings, printing slips of calendars, etc., for August, 180, $504 40—$795 65.

Read twice and laid over.

By Mr. Shaw:

An ordinance to provide for the settlement of accounts therein named.

Be it ordained, That the Administrator of Public Accounts be and is hereby authorized to settle with the holders of the following claims, at the option of said holders, by the issue of certificates under ordinance No. 197, Administration series:

Slocomb, Baldwin & Co., for pick handles bought October 14, 1869, for Workhouse, approved by Administrator of Police, $17 75.

J. Weidner, for two warrants of the city of Jefferson, Nos. 251 and 252, dated March 17, 1870, $100 each, $200.

Dennis Cronan, for certificate issued January 23, 1870, under his contract for repairing the paved streets of the fourth and fifth wards, $270.

Henry McGuinn, for sundry accounts, as follows, all examined by the Administrator of Improvements, and certified by him as correct for payment:

Account for shelling Foucher street, March 15, 1870, $108 20.

Account for shelling Magnolia street, September 30, 1869, $6079 22.

Account for widening and cleaning Broad street canal, September 30, 1869, $183.

Account for grading and shelling Felicity Road, percentage retained as security, July 28, 1869, $472 84. Percentage retained as guarantee on his contract for grading and shelling Josephine street, June 21, 1869, $493 27. Percentage retained on his contract for grading and shelling Liberty street, May 19, 1869, $252 13. Wood, charcoal and sand furnished October 7, 1869, the Insane Asylum, certified by the Administrator of Waterworks and Public Buildings, $69 20.

A. W. Broadhead, for warrant of joint committee of the parish of Jefferson, $23.

James O'Connor, for registered bill for work on buildings of Hope Hook and Ladder Company No. 3, March 23, 1870, $275.

E. H. Levy, transferree of John W. Madden, for registered bill of stationery of January 31, 1870, $151 25.

Philip McCabe, for nails, etc., for Boys' House of Refuge, registered March 26, 1870, and approved by Administrator of Police, $9 25.

Philip McCabe, for registered bill of material and repairs in Treasurer's office, December 9, 1869, $22 50.

John Klein, for warrant of the joint committee of the parish of Jefferson, $23.

John Klein, transferee of Robert Schneider, for repairs in office of Recorder of Fourth District, December 8, 1868, $10.

Benjamin Campbell, for warrant of Jefferson City, March 31, 1870, $150.

H. Tricou, for hats furnished the police in June, 1868, approved by Mayor Heath and the Finance Committee, $91.

Paul Deverges, for lumber for Melpomene draining machine, December, 1869, $82 80. Paul Deverges, transferee of John Douglass, for bill of stationery for Mayor's office in October, 1869, registered April 1, 1870, $100.

By Mr. West:

An ordinance appropriating money to defray the expenditures of the Department of Improvements, for the month of August, 1870.

SECTION 1. Be it ordained by the Council of the city of New Orleans, That the following sums of money, or so much thereof as may be necessary, are hereby appropriated to defray the expenditures of the Department of Improvements for the month of August, 1870.

1. Expenditures of the Department proper eight hundred and fifty-six dollars and fifty-two cents ($856 52).

2. Expenditures of the Bureau of Streets, forty-two thousand five hundred and sixty dollars and twenty-nine cents ($42,560 29).

3. Expenditures of the Bureau of Wharves and Landings, three thousand four hundred and fifty-five dollars and eighty-three cents ($3455 83).

4. Expenditures of the Bureau of City Drainage, five thousand two hundred and eighteen dollars and eighty-four cents ($5218 84).

SEC. 2. Be it further ordained, etc., That payment of expenditures as above, other than those of salaries and pay rolls, shall be made upon vouchers approved by the Administrator of Improvements, and the Administrator of Public Accounts shall draw his warrants upon the Administrator of Finance in favor of the person or persons holding the vouchers approved as aforesaid.

SEC. 3. Be it further ordained, etc., That the Administrator of the Department of Improvements shall furnish to the Department of Public Accounts a certified abstract of the pay rolls and salaries due by his Department; the Administrator of Public Accounts shall draw his warrant upon the Department of Finance for the aggregate amount thereof, and the Administrator of Finance shall take the individual receipts of the parties borne upon the salary and pay rolls.

Read twice and laid over.

By Mr. West:

An ordinance appropriating money to defray the expenditures of the City Surveyor's Department for the month of August, 1870.

SECTION 1. Be it ordained by the Council of the city of New Orleans, That the following sums of money are hereby appropriated to defray the expenditures of the Surveyor's Department for the month of August, 1870:

1. Expenditures for the Department proper—pay roll of salaries, nine hundred and fifty-eight dollars and thirty-three cents	$958 33
2. Pay roll of mechanics, etc.—one thousand four hundred and eighty dollars and seventy-five cents	1,480 75
3. Purchases—A. Hero, Jr. copies of contracts	80 00
J. F. Braun, cotton and binding for maps	9 50
D. L. Depass, one (1) river boat for wharves	97 50
C. J. O'Hara, varnishing rollers for maps	4 00
J. McCormick, bricks and labor for banquette	52 00
James Lindsey, surveyors' instruments	485 00
J. W. Madden, stationery from April 1 to date	189 65
William Von Drozkousky, sounding leads and lines	41 46
Total	$3,389 59

SEC. 2. Be it further ordained, etc., That payment of expenditures as above, other than those of salary and pay rolls, shall be made upon vouchers approved by the City Surveyor, and the Administrator of Public Accounts shall draw his warrants upon the Administrator of Finance in favor of the person or persons holding the vouchers, approved as aforesaid.

SEC. 3. Be it further ordained, etc., That the City Surveyor shall furnish to the Department of Public Accounts a certified abstract of the pay rolls and salaries due by his department. The Administrator of Public Accounts shall draw his warrant upon the Department of Finance for the aggregate amount thereof, and the Administrator of Finance shall take the individual receipts of the parties borne upon the salary and pay rolls.

Read twice and laid over.

Petitions.

Mr. West presented a petition and accompanying documents from John Coleman & Co., with reference to the twenty-five per cent increase on contracts, which petition was referred to the City Attorney.

Mr. Shaw presented petitions of James Gardiner and M. DeCoursey, which were referred to the Administrator of Assessments.

Mr. Emley presented a petition of Mr. George Keiffer, relating to market buildings, which was referred to the Administrator of Assessments; also a petition from citizens of the Third District, which was referred to the Administrator of Improvements.

Another petition of Seiwerd & Kipp, asking permission to erect a three story wooden building for a rice mill, facing on Elysian Fields street, was reported on by Mr. Emley, and the report was laid over. A communication from the residents in the neighborhood of the site first fixed upon by Messrs. Sieward & Kipp was also received, withdrawing their written consent, on the ground of the danger of fire from a wooden building of this kind.

Mr. Walton presented a petition of B. F. Simms, asking a remission of taxes, which was referred to the Administrator of Assessments.

Petitions of Samuel Jones, Jr., and of the congregation of the nuns of St. Joseph, were referred to the Administrator of Assessments, and a claim of J. R. Hutchinson, for services as Secretary of School Board of Jefferson City, was referred to the Administrator of Police.

Mr. Pierce presented a petition of citizens against the concert saloon at the corner of Chartres and Conti streets, and desired to call particular attention to the endorsement thereon.

The Mayor remarked that the gambling saloons on St. Charles street were even a greater nuisance, and the police made no effort to suppress them.

Mr. Pierce: They are licensed.

The Mayor: Not for gambling, I imagine.

Mr. Pierce: The question is, what is to be done with the petition. I should like the endorsement read.

The endorsement was read as follows:

OFFICE SUPERINTENDENT OF POLICE, New Orleans, August 30, 1870.

This petition is respectfully submitted to the City Council, with the remark that the within named establishment has been repeatedly closed by the police after twelve o'clock, midnight, pursuant to section two of the ordinance regulating licenses of beer saloons, etc.

Agreeably to said section, a continuance of the entertainment after twelve o'clock works a forfeiture of the license.

A. S. BADGER, Superintendent of Police.

Mr. Pierce moved to refer the matter to the Mayor.

Mr. West suggested that it would be better to refer it to the City Attorney to take proceedings for the forfeiture of the license.

Mr. Pierce said his object in referring the petition to the Mayor was that he should consult the City Attorney.

Referred to the Mayor.

Unfinished Business.

The reports made by the Mayor at the last regular meeting on the claims of L. Pesson, Victor Belot & Lanabare, Edward Pinac and Behan, Therne, Benjamin Campbell and Saddler and Plattsmier were called up, and adopted.

By the Mayor:

MAYORALTY OF NEW ORLEANS, August 30, 1870.

To the City Council of New Orleans:

I report back favorably the ordinance referred to me providing for the settlement of the claims of S. D. Moody, amounting to $508 33, under ordinance 197 Administration Series. The amount is due for salaries on the March pay rolls of the late City of Jefferson.

BENJ. F. FLANDERS, Mayor.

The report was anopted, and the claim was ordered paid.

Mr. Bonzano called up a resolution changing the assessment of Zachary Bruenn from $14,000 to $10,500, which appears in the proceedings of August 16 as having been adopted, and was officially promulgated August 19, but which, he said, had never been adopted.

A vote was taken, and the resolution was again declared passed.

Mr. West presented the following report, which was laid over to be printed:

DEPARTMENT OF IMPROVEMENTS, July 22, 1870.

To the City Council of New Orleans:

The undersigned respectfully submits the following report on the "petition of Henry C. Brown, with regard to alleged violation of drainage contract by the late City Council:"

Henry C. Brown makes known to the present Council that, in October last, he made his petition to their predecessors, setting forth that, as a contractor to clean and deepen certain draining canals, he had suffered certain damage from the failure of the city to keep its draining machines in operation while he was doing his work, and by reason of extra work and expense incurred, for which he asks to be paid. He also sets forth that he was employed by the former City Surveyor, Mr. Surgi, without authority of the Council, but, as he avers, that of the Committee on Streets and Landings, to clean the London avenue canal and reservoir, as being necessary to be done before the other canals could be advantageously worked upon. He claims similar extra pay for this as for other canals.

It seems that he was paid all his contract price for the work on these canals, inclusive of that on the London avenue canal.

His claim for extra pay is based on a clause inserted in each of the contracts, and which he claims to be implied in the employment as to the London avenue canal, that "the draining machines will, during the progress of the work, keep, as far as practicable, the canal free from any accumulation of water, which could interfere with its execution."

The limitation "as far as practicable" must be noticed. It seems from the report made to the undersigned by the City Surveyor, that the failure to run the draining machines was due to a force over which the city had no control, an order of court which enjoined it from running them; this must certainly be held to cover the case, and to show that it was not practicable for the city to keep the water down.

But if this should be held not to furnish an adequate answer to the claim for extra labor and work, damage, etc., as to the canals for which this contract was made, it certainly will apply to the London avenue work, for which no contract was made. Besides, the latter was done in direct defiance of the provisions of the charter requiring work over $500 in value to be let out by contract.

The testimony taken by petitioner certainly shows that he was much hindered by the failure to keep the draining machines in operation, but this is ex parte testimony, and therefore must be taken with many grains of allowance.

The city certainly can not consent that such a clause as this, that the draing machines shall be kept running "as far as practicable," shall impose upon it damages and charges for extra work when the running of the draining machines was rendered impracticable by an injunction.

Nor can extra work be allowed when there was no contract in writing, in fact no contract binding on the city at all, and consequently no such clause as this to affect the city, and when the claimant has already received his payment for that work from the officer for whom and on whose employment of him he did it, and who must have paid him all that was due him.

Even if the city be liable for the extra work claimed, it can only be, after an examination of all the facts contradictorily made, that the amount of its liability can be ascertained. This can be best had in a suit at law, wherein the legal effect of the clause in the written contract, can also be adjudicated upon.

For these reasons the undersigned is compelled to advise that the claim of the petitioner be not allowed.

J. R. WEST, Administrator.

On the same subject Mr. West presented the following supplementary report:

DEPARTMENT OF IMPROVEMENTS, August 30, 1870.

To the City Council of New Orleans:

The undersigned respectfully reports upon the "petition of Henry C. Brown to submit his claim for damages to arbitration of any three disinterested persons, to be appointed by the city administration," unfavorably.

The Council is not clothed with any such authority. In the opinion of the undersigned the courts are the proper resort of claimants after the Council has considered their claims and rendered an unfavorable opinion thereon.

It is requested that the Department of Improvements be relieved from further consideration of this matter.

J. R. WEST, Administrator.

The report was received, and the Administrator was discharged from further consideration of the matter.

Mr. Shaw called up the ordinance making appropriations for the Department of Assessments, read twice last week, printed, and referred to him. He said he had examined all the bills and found them correct. The only objection to the ordinance being that which was raised by the Administrator of Finance at the last meeting, that the month had not expired. He had fully considered the matter, and was now prepared to report in favor of the ordinance. His reason was this: It was now the night of the thirtieth of the month, and before the ordinance could be promulgated it would be the second of September. He could not conceive the possibility of any change occurring in a pay roll during the last seven days of the month, unless it was a death.

Mr. Bonzano explained that his motive in introducing his pay roll last week was to have the employes of the city paid as near the first of the month as possible.

Mr. Shaw observed that he had introduced an ordinance to-night with the object of avoiding all unnecessary delay in the payment of laborers.

Mr. West moved the adoption of the appropriation for the Department of Assessments, which was carried.

In like manner, Mr. Shaw reported favorably on the resolution making appropriation for the Department of Commerce, which was also carried.

Mr. Shaw called up the report of the Administrator of Finance on the claim of Joshua Peebles offered at the last meeting, and moved the settlement of the claim by the issue of certificates under ordinance 197, Administration series, for $4131 14.

Carried.

Mr. Shaw called up from ordinances passed at previous meetings a number of items, payable in seven-thirty certificates, which were put on their final passage, as follows:

Dr. M. C. Comer, for services as city physician, Jefferson City, in April, 1870, $150.

Carried.

P. Mallard, for one oak arm chair for Mayor's office, December 1, 1868, approved by Finance committee and Mayor Conway, $80.

The Mayor, in respect to this item, said he had nothing to say except that there *was* an oak chair in the Mayor's parlor, not worth anything like the price charged, but he had no doubt the bill would have to be paid.

Passed.

John Klein, transferee of Charles Holm, for registered bill for gas fittings in District Courts, March, 1870, $53 60, approved by Administrator of Public Buildings.

Passed.

John Klein, as transferee of O. Pilman, for warrant of pay as Police Juror, parish of Orleans, right bank, in March, 1870, $20.

Passed.

L. Pessou, claim reported on by the Mayor at the last meeting, $177 50.

Mr. West suggested that a good part of this claim was due in cash, and he moved that the Administrator of Accounts be authorized to adjust the account accordingly.

Carried.

Blake & Tower, for sundries furnished to Boys' House of Refuge and Second District Recorder's Court, $12 25.

Passed.

L. F. Tower, $21 05; A. P. Dumas, $475; Louis Janin, $895; Benjamin Campbell, tutor, $649 90, Louis Ruch, $642 70—each of these items w as severally called up and passed, payable in seven-thirty certificates.

Mr. Shaw called up the ordinance for the cash payment of Thomas McCormack $5; Lauer, Irwin & Roper $1200, and the New Orleans REPUBLICAN, $5370 read twice last week, which was now finally adopted.

An addition of fifty dollars was made to the appropriation for the pay roll of the Department of Accounts, and it was passed.

The appropriation for the August pay rolls of the public schools was adopted, Mr. West and Mr. Walton voting no.

The appropriation for the pay roll of the City Attorney was adopted.

Mr. Shaw called up, on final passage, a resolution appropriating $700 to meet a deficit in the July pay rolls of the schools.

The resolution was passed.

A petition of Lonard Marino, referred to the Department of Accounts August 23, was transferred to the Department of Police.

A resolution authorizing the Administrator of Police to contract for a new prison wagon, was carried.

Mr. Walton said there was an ordinance, introduced by him May 31, which seemed to have entirely slipped out of recollection. It was a very important matter, and he moved that it be printed.

The ordinance was as follows:

An ordinance to regulate the mode of keeping the accounts of the city in the Department of Public Accounts.

SECTION 1. Be it ordained by the Council of the city of New Orleans, That at the first regular meeting, in December of each year, the Administrator of Public Accounts shall submit to the Council a detailed estimate of receipts and expenditures for the ensuing year, classified under appropriate heads, to be known as the budget; which budget, after it has been adopted by the Council as provided in section nineteen of the City Charter, shall be entered in a book, to be called the Appropriation Ledger, which shall be kept by the Administrator of Public Accounts, and in which an account shall be opened with each and every item of said budget, each of said accounts shall be credited with the amount appropriated to it, and shall be charged with every warrant drawn upon the Administrator of Finance, against such appropriation, in order that the exact condition of every account in the budget may be ascertained at any time; and whenever any appropriation shall have been exhausted before the end of the fiscal year, no further warrant shall be drawn upon such account unless the Council having been notified of such deficiency, shall have previously made a further appropriation to the credit of said account; provided, that no warrant shall be drawn against such appropriation for deficiency, until all the other items of the budget shall have been previously provided for.

SEC. 2. Be it further ordained, That the administrator of each department shall examine and approve all bills for work done or materials supplied, and all pay rolls in his department, which bills and pay rolls shall then be sent to the Administrator of Public Accounts, with memorandum of number and date of contract under which the expediture was incurred, and number of ordinance approving it, to be by him audited and registered, and submitted to the Council at a regular weekly meeting, for approval in the order of their registry; and no warrant shall be issued in settlement of any bill or pay roll, until its payment shall have been ordered by the Council.

SEC. 3. Be it further ordained, That whenever a contract shall have been adjudicated in any department, and approved by the Council, it shall be the duty of the City Notary to furnish a notarial copy of the same to the Administrator of Public Accounts, numbered in regular series for each department, who shall cause an abstract of the same to be entered into a book to be called the Contract Book, and which shall be properly indexed and classified for convenient reference.

SEC. 4. In addition to the books hereinbefore mentioned, the Administrator of Public Accounts shall keep the books now to be described, as follows, viz:

1. A "register of claims," in which shall be entered, in the order of its reception from any department, the number, date, name of claimant, folio of contract book, nature of services performed, department from which received, and the amount of each claim and pay roll received for audit and settlement. The said book shall also contain a column for remarks, in which shall be entered opposite each claim entered therein a statement of the action of the Council upon said claim, whether approved or rejected, with reason for rejection.

2. A note and bill book, in which shall be described each and every promissory note, or bills receivable of every kind, belonging to the city.

3. A paying warrant book, in which shall be registered, in regular order, every warrant issued upon the Administrator of Finance, specifying the number of the warrant, date of issue, to whom issued, and the account against which it is dr