New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

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 7½ 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), J. S. Walton (Finance), and H. Bonzano (Assessments).

The Mayor stated that Administrator Pierce had been indisposed for some days past, and was not yet strong enough to expose himself to the night air. This explained his absence from the meeting.

On the question of dispensing with the reading of the minutes, Mr. Bonzano moved to expunge the resolution appended to the report of the Administrator of Assessments on the claim of the Southern Cotton Press, on the ground that that resolution did not emanate from any member of the Council, but was stated by the administrator himself to have been "furnished to him." The resolution was in direct antagonism with the report which had been made on the same subject by the Department of Assessments, and its appearance on the minutes along side of that report was almost an insult to the department.

The Mayor ruled that the resolution having been personally offered and seconded, formed part of the proceedings and must stand upon the minutes. The best justification the Administrator of Assessments could have, was that the Council had refused to act upon the resolution, and had taken an entirely different course.

The minutes were confirmed.

Reports and Resolutions.

By Mr. Delassize:

DEPARTMENT OF WATERWORKS AND PUBLIC BUILDINGS, September 13, 1870.

To the City Council of New Orleans:

On the sixth instant proposals for renewal of stalls, etc., in the Treme Market were opened. Two bids were called for:

The first, for the partial renewal of stalls, etc., was responded to by Joseph Lennon, who bid $4447 50, and C. F. Perry, who bid $4622.

The second, for the entire renewal of stalls, painting, whitewashing, etc., was responded to by Joseph Lennon, who bid $10,497 75; C. F. Perry, who bid $9418, and H. De Mahy, who bid $7500.

I deem it for the interest of the city to accept the proposals of H. De Mahy—the difference in price between the proposals for partial renewal and entire renewal, taking into consideration the work to be done, being greatly in favor of the latter.

I ask the passage of the accompanying resolution.

L. T. DELASSIZE, Administrator.

Resolved, That the adjudication by the Administrator of Waterworks and Public Buildings of a contract, under resolution No. 292, Administration series, for renewal of stalls, etc., in the Treme Market, unto H. de Mahy, for the sum and price of seven thousand five hundred ($7500) dollars, with J. C. de Mahy as security, in the sum of twenty-five hundred dollars ($2500) be and the same is hereby approved, the security accepted, and the Mayor authorized to sign and execute, on behalf of the city, the necessary contract before the City Notary to carry the same into effect.

Adopted.

By Mr. West:

Resolved, That the city of New Orleans accept the proposal of W. W. Handlin and T. O. Stark to donate certain streets through their property, between Julia, Bernadotte and Seventeenth streets, and Carrollton avenue, and the Administrator of Improvements is authorized to define and ditch the same as customary.

Laid over to be printed.

By Mr. West:

Resolved, That permission be and the same is hereby granted to William Bradford to erect a stand ten (10) feet square, for the purpose of keeping an eating house; said stand to be located at such point as shall be designated by the Administrator of Improvements, and where the commerce of the city will not be obstructed; provided, that the proper license be paid for the transaction of such business, and provided further, that this permission be subject to revocation at the pleasure of the Council.

Adopted.

By Mr. Shaw:

An ordinance to provide for the payment of the several accounts therein named.

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

Dr. O. Anfoux, for treatment of 222 small-pox patients, between the twenty-sixth of April and July thirty-first, 1870, at $50 each, in accordance with his proposition, accepted by the Council May 3, 1870, and as per bill and vouchers on file, which have been examined by the Departments of Public Accounts and Waterworks and Public Buildings, and payment recommended by the latter, $11,100.

The Charity Hospital, for two fines of fifty dollars each, collected by the Recorder of the Fourth District from officers of sea-going vessels for violating the regulations of the port, and by said Recorder paid into the city treasury through error, the same being payable to the Charity Hospital under the laws of the State. See Revised Statutes, page 353, section 1681. $100.

John Slidell, for costs of rule in Sixth District Court to cancel certain mortgages, $29 10.

Read twice and laid over.

By Mr. Shaw:

An ordinance to provide for the payment of the several accounts therein named.

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

New Orleans Times, for advertising redemption of city bonds in August, 1870, $13 50.

New Orleans Bee, for sundry advertisements from April 26 to May 6, 1870, $35.

Thomas J. Lindsay, for one large bookcase for the Department of Public Accounts, $150.

E. Heath, for five shades for Mayor's office, $62 50.

James A. Gresham, for one copy of the acts of 1870, for Mayor's office, $3.

Paul Bruce, for salary due him as Sexton of Sixth District Cemetery, for April, May, June and July, 1870, approved by the Administrator of Police, less amount paid on account under ordinance 438, $23 50.

Adopted.

By Mr. Walton:

DEPARTMENT OF FINANCE, September 13, 1870.

To the City Council of New Orleans:

I have received a communication from J. M. Norman, Secretary of the Society for the relief of Destitute Orphan Boys, asking to have the tax bills of 1868 and 1869 canceled, on the ground that the society is exempt from taxation by special State legislation. On referring to the acts of the Legislature, I find that by act number one hundred and thirty-five, approved March 12, 1836, and act number two hundred and sixty, approved March 17, 1852, all the property of the society, situated in the parishes of Orleans and Jefferson, is exempt from State and municipal taxation.

I therefore recommend the adoption of the following resolution, viz.

Resolved, That the Administrator of Finance be authorized to cancel the judgment obtained by the city against the "Orphan Boys Relief," for the taxes of the year 1868, and that the Administrator of Public Accounts be authorized to withdraw from the Administrator of Finance the bills now in his hands, against the said society for taxes of 1869, and to cancel them on his books.

JOHN S. WALTON, Administrator.

The Mayor asked if this report applied only to the property occupied by the asylum?

Mr. Walton said it applied to all their property, which was exempted by two special acts of the Legislature, neither more than six lines long.

The report was adopted.

By Mr. Bonzano:

Resolved, That the Administrator of Public Accounts be, and is hereby, authorized to cancel tax bill No. 287, against Raymond Pouchelo for the tax of 1869, on certain lots supposed to be in square 18 or 214, fourteenth assessment district, late City of Jefferson. Said lots so assessed do not exist in the square.

Adopted.

By Mr. Bonzano:

Resolved, That the Administrator of Public Accounts be and is hereby authorized to cancel tax bill No. 1432, against G. Foster on capital $2000 for the year 1869, said tax having been assessed twice, and in excess of capital returned by him and paid in tax bill No. 1429.

Adopted.

By Mr. Bonzano:

Resolved, That the Sheriff be and is hereby directed to receive from Mrs. Weymouth the sum of fifteen dollars in full payment for the tax assessed against her on furniture for the years 1864 and 1865, for which judgment has been rendered in favor of the city in the Sixth District Court.

Adopted.

By Mr. Bonzano:

DEPARTMENT OF ASSESSMENTS, September 6, 1870.

To the City Council of New Orleans:

Report by the Administrator of Assessments on the petition of James Gardiner, tailor, 161 Common street, fifth assessment district:

James Gardiner was erroneously assessed on capital for the year 1868, for $500, in the name of James Guvainer.

Tax bill No. 1145 was also published, having the same erroneous name, and judgment has been rendered in favor of the city for seven dollars and fifty cents, with costs.

Petitioner is willing to pay the tax, but asks to be relieved of the costs.

I recommend such relief and offer the following resolution:

Resolved, That the Sheriff be and is hereby directed to receive from James Gardiner the sum of seven dollars and fifty cents in full payment for tax bill No. 1145, for the tax of 1868, suit No. 6923, Third District Court, judgment having been rendered against the erroneous name of James Guvainer.

H. BONZANO, Administrator.

Adopted.

By Mr. Bonzano:

DEPARTMENT OF ASSESSMENTS, September 6, 1870.

To the City Council of New Orleans:

Report by the Administrator of Assessments on the petition of Walter C. Cook, commission merchant, No. 88 Magazine street, Third Assessment District.

Petitioner states under oath that he made a return of capital to the amount of $5000 invested in business for the year 1869, but was assessed for the erroneous amount of $12,000.

From this and additional evidence produced in his favor, I believe him entitled to 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 Walter C. Cook, assessing him with a capital of $5000, in lieu of the erroneous amount of $12,000. H. BONZANO, Administrator.

Adopted.

By Mr. Bonzano:

Resolved, That the resolution adopted August 23, authorizing the City Attorney to cancel two judgments against R. M. Montgomery, being in conflict with the law of 1869, be amended by substituting the words "Mayor and Administrator of Finance" for "City Attorney."

Adopted.

Petitions.

A renewed petition of Sam Jones, Jr., for remission of taxes, was referred to the Department of Assessments.

A communication from Collector Stockdale was referred to the Department of Accounts.

A petition of O. M. Redon, to have his case compromised, was referred to the Department of Commerce.

A complaint from the United States ironclads, of Slaughterhouse carcasses causing a nuisance, was referred to the Department of Police.

A petition of Robert Seaton, on behalf of the Peeble's estate, was referred to the Mayor.

A claim of Henry C. Andrews was referred to the Department of Accounts.

A petition of the Poydras Female Orphan Asylum, for exemption from taxation under State laws, was referred to the Department of Assessments.

A petition of William Davis, agent, for postponement of payment of batture note, was referred to the Department of Finance, as was also a petition of M. E. Golden.

A petition of messengers of three departments of the city government for an increase of salary was referred to the committee on salaries.

Mr. Shaw presented a petition of Mrs. Schermerhorn, referred to the Administrator of Finance; a petition of Ernest Merle, referred to the Mayor, and a petition of John L. Gubernator, referred to the Administrator of Finance.

Mr. Shaw said he had also a petition of Mrs. Myra Clark Gaines, and a recommendation of Judge Abell, which he moved should be printed and referred to the City Attorney.

Judge Abell's letter was as follows:

To the Mayor and Board of Administrators in and for the parish of Orleans:

In view of the check to improvements of a large section of the city known as the —— Plantation, sold by the city to many good and worthy citizens, who fear to improve and can not sell or mortgage, and the great hardships and injury to those who have made improvements, and hundreds of others who are deterred from doing so by reason of continuous litigation by Mrs. Myra Clark Gaines, for myself, and at the request of many others, respectfully ask that they be relieved from said suit and vexation by a compromise, so far as this tract is concerned, provided it can be done upon principles of justice.

Besides relieving from ruin many worthy citizens, it would save the city much litigation, and greatly advance improvements and increase revenue.

With one of the most honorable and solvent corporations in the city, I can neither sell or mortgage, and such is the case with my neighbors.

Respectfully yours, etc.,

E. ABELL.

New Orleans, September 6, 1870.

A petition to extend the shell road on Frenchman street, from Marigny Canal to the lake, was referred to the Department of Improvements.

Two protests against the proposed erection of a soap factory in the Fourth District by Mr. Jacob Holzenthal, were referred to the Department of Police.

Passed Business.

Mr. Emley made the following report:

DEPARTMENT OF COMMERCE, September 13, 1870.

To the City Council of New Orleans:

The communication to his Honor the Mayor, referred to this department, from a committee representing the Board of Aldermen, Board of Councilmen, Chamber of Commerce, and Board of Trade of the city of Cincinnati, request the appointment of delegates to the session of the Southern Commercial Convention to be held in the city of Cincinnati, Ohio, commencing Tuesday, October 4, 1870, in conformity with the basis of representation as set forth in a circular accompanying said communication. The circular specifies "that the city authorities of each city of eight thousand inhabitants shall appoint one delegate, and for each additional ten thousand inhabitants one delegate." This will allow the city of New Orleans nineteen delegates.

In view of the intimate and vast commercial relations between the cities of Cincinnati and New Orleans, and especially in view of the deep interest New Orleans has in the entire schedule of subjects to be considered by said convention, I have the honor to recommend the appointment of a full delegation, and respectfully herewith submit a resolution authorizing the same.

S. C. EMLEY, Administrator.

Resolved, That the Mayor is hereby authorized and requested to appoint nineteen delegates to the Southern Commercial Convention, at its session to be held in Cincinnati, commencing on the fourth day of October next.

Mr. Shaw asked how the expenses were to be paid.

The Mayor said it was generally understood that these appointments were honorary—both honorary and onerous.

The resolution was adopted.

Mr. Emley, on behalf of Mr. Pierce, handed in the following report:

DEPARTMENT OF POLICE, September 12, 1870.

To the City Council of New Orleans:

I have examined the petition of William F. Mead, Esq., of September 6, 1870, referred to this department same date, and find that under the provisions of resolution No. 6149, approved August 3, 1863, Mr. Mead was authorized to select a vault in Lafayette Cemetery No. 2. Accordingly vault No. 75, side A, in Lafayette Cemetery No. 2, was assigned him, and the fact is so recorded in the sexton's books.

In the absence of any higher proof of ownership than that just mentioned, and which is unsatisfactory to Mr. Mead, I respectfully recommend that the Administrator of Police be authorized to issue a certificate entitling him to vault No. 75, side A, in Lafayette Cemetery, No. 2, city of New Orleans.

E. W. PIERCE, Administrator.

Adopted.

By Mr. West:

DEPARTMENT OF IMPROVEMENTS, September 12, 1870.

To the City Council of New Orleans:

The undersigned respectfully returns herewith "petition of the Chattanooga Railroad Company for the consent of the city to the occupancy by that company of square 27\A."

Under the proper legal advice the prayer of the petitioners is reported against by

J. R. WEST, Administrator.

The Consolidated Debt.

Mr. Shaw said on behalf of the Commissioners of the Consolidated Debt he had a verbal report to make. The Commissioners had ordered the Fiscal Agent to take up, on the first day of October, all bonds of the second year's issue of the one million loan, and as much of the bonds of the first year as the surplus would take up. The sum of forty-nine cents on a dollar and a half was set apart by law for the taking up of the bonds of the one million issue. The first year's coupons became due on the first October, 1869, but were not then taken up, neither was the money reserved for that purpose, so the present Council were obliged to do the best they could out of the taxes of this year. All this year's coupons would be paid at maturity, for the Council did not want any of the city's paper in their time to go to dishonor. They propose to take all this year's coupons up, and as many of the others as possible, giving preference to the small denominations. He regretted that the late hour at which this decision was arrived at prevented the Commissioners from making a written report.

The Mayor: The whole amount will be what?

Mr. Shaw: Four hundred and twenty thousand dollars. The Commissioners would also take up fifty thousand dollars of the consolidated debt.

Appropriations, Etc.

Mr. Shaw called up the ordinance to provide for the settlement of accounts therein named, passed to a second reading last week.

A claim of L. Leon Bernard, $300, was referred to the Mayor, and a claim of F. N. Keller, $260, to the Administrator of Finance. The remaining items were passed.

Mr. Shaw called up the ordinance for the payment of the Sheriff and other claims also read twice last week.

The Mayor remarked that it was costing the city seventy-five thousand dollars a year for the maintenance of prisoners.

Mr. Bonzano thought it would not be a bad idea to extend the dog ordinance to the prisons.

The ordinance was passed.

A claim of Thomas Lynne, clerk of the Eighth District Court, for $105 for copies of a record was reduced to seventy-five dollars and passed.

Mr. Shaw called up the ordinance appropriating four thousand dollars for catching, keeping and poisoning the dogs, which was passed.

The report of the Mayor on the claims of L. Pesson, E. J. Rigney and the Louisiana State Register, presented at the last meeting, were adopted.

On a claim of the Bulletin referred to him, the Mayor reported as follows:

MAYORALTY OF NEW ORLEANS, September 14, 1870.

To the City Council of New Orleans:

The New Orleans Commercial Bulletin presents a bill for $465, for advertising sales in suits brought by the city in the months of September, October and November, 1869. The account is certified by Sheriff Maxwell (per Michael de Armas), as being "still due and owing by the city of New Orleans," and there is a further certificate that the sales in all the cases enumerated have either not been effected or were discontinued by the Finance Committee.

The account appears to be correctly stated as to quantity and price; but the question arises, is this a claim for which the city is liable?

On the twenty-fourth July, 1868, more than a year previous to the date of these advertised sales, an act of the Legislature was passed providing: "That in addition to the other duties herein imposed upon the State Printer he shall be required to publish in his official journal all judicial advertisements required by law to be published in the parish of Orleans, including Sheriff's and Constables' sales, notices of elections, succession notices and all proceedings and orders of any court that may be ordered published in said parish, whether in the English or French language, or both.

And any such publication or advertisement, whether parochial or municipal, shall be utterly null and void unless so published in the official journal."

A proviso, however, is appended to this enactment, giving the Common Council the power to publish the advertisements of the city in one or more additional papers whenever the public interest may demand it.

An ordinance of the Council, passed previous to this act (see Levy's Digest, article 700), instructs the Sheriff to advertise all election and other notices, in the official journal only. Under this ordinance the Sheriff would seem to have had the authority of the Council for sending the advertisements in question to the City Printer, and the charges being legal, I recommend that the bill be paid.

BENJ. F. FLANDERS, Mayor.

The report was adopted, and the claim ordered to be settled.

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 197, Administration series:

C. Duhamel, for instruments, drawing paper, etc., procured for the Surveyor's Department in 1869, as per bills certified as correct by the Administrator of Improvements, $6, $80, $30—$116.

N. Vignie, for two jury warrants for jury duty in First District Court, $19 50, $16 50—$36.

C. Cavenac, transferee of F. Marquez for work on levees during the overflow in 1869, approved by Administrator of Improvements, $240.

Heirs of LeBreton, for reimbursement of taxes of 1868, as per certificate issued by Finance Committee in 1869, $22 50.

Firmin Levasseur, for lime for draining machine, furnished in 1869, as per bill certified correct by Administrator of Improvements, $5 50.

Leon Haas, for cleaning the public sinks of the city in January, 1869, as per bill approved by Department of Waterworks and Public Buildings, $450.

John Farrell, for jury certificate, First District Court, $18.

J. H. Keller, for sundry bills soap for Insane Asylum, bought in 1869, approved correct by Administrator of Waterworks and Public Buildings, $30, $30, $18—$78.

George Glidden, for sundry articles for Insane Asylum in 1869, account approved correct by Administrator of Waterworks and Public Buildings, $41 50.

Lesassier & Binder, as transferee of John Coleman & Co., for certificate of paving on Rampart street, approved correct by Administrator of Improvements, $3327 71.

Lesassier & Binder, as transferee of Joseph Artigue, for cleaning streets of Third Ward one month to March 12, 1870, $2587 50.

Lesassier & Binder, as transferee of M. Condran, for oyster shells in February, 1870, approved correct by Administrator of Improvements, $450, $450—$900.

Lesassier & Binder, as transferee of John R. Clay, for rent of public pound of Second District in July, August, September, October, November and December, 1868, and January and February, 1869, approved by Administrator of Police, at $65 per month, $520.

Lasassier & Binder, as transferee of Commercial Bulletin, for sundry bills of printing and advertising, $245 20, $120 40, $126, $76 80, $76, $32 40, $30, $28—$731 80.

Lesassier & Binder, as transferee of W. B. Bowan, for one four-ton scale for Surveyor's Department in April, 1869, certified correct by Administrator of Improvements, $166.

Lesassier & Binder, as transferee of W. J. Behan, for lighting streets with petroleum oil lamps in January, 1870, approved correct by Administrator of Improvements, $3331 88.

Roberts & Co., for mouldings for fence in Coliseum Place in 1869, approved as above, $7 20.

The German Gazette, for sundry registered bills of printing and advertising in February, 1870, $12, $377 50, $8—$397 50.

St. Vincent Infant Orphan Asylum, for sundry appropriations for wet nurses, etc., from June to December, 1869, $100, $100, $100, $200, $200, $100, $100—$1000.

William Henry, as transferee of J. J. O'Hara, for cleaning streets and repairing unpaved streets of First Ward from seventeenth to thirty-first March, 1870, approved correct by Administrator of Improvements, $543 75.

R. C. Pinard, for furniture and repairing furniture for Finance Committee in March, 1870, $75.

G. Palmasino, for vegetables furnished the Houses of Refuge, etc., 1868 and 1869, $24 75, $23 25, $23 25, $22 50, $22 50, $23 25, $23 50, $22 50, $23 25, $22 50, $31, $31, $15 50, $15 50, $14, $15 50, $226 50, all approved by Administrator of Police, $577 25.

G. Merle, as transferee of John J. Clarke, for sundry bills of fuel for Houses of Refuge, Workhouse, etc., in 1869, and January and February, 1870, all approved by Administrator of Police, $18 50, $45, $181, $36, $13 50, $13 50, $22, $23—$392 50.

William Henry, transferee of J. J. O'Hara, for ten per cent retained on monthly certificate, from September 13, 1869, to March 31, 1870, inclusive, for cleaning and repairing the unpaved streets of the First Ward, approved as correct by the Administrator of Improvements, $805 52.

William Henry, transferee of J. J. O'Hara, for cleaning the streets and repairing the unpaved streets of the First Ward, from twelfth to sixteenth of March, 1870, inclusive, approved correct by the Administrator of Improvements, $181 25.

William Henry, for cleaning the streets and repairing the unpaved streets of the Tenth and Eleventh Wards, from twelfth to sixteenth March, 1870, inclusive, approved correct by the Administrator of Improvements, $260.

William Henry, for 1000 barrels lake shells furnished the Street Commissioner's Department in December, 1869, approved correct by the Administrator of Improvements, $400.

William Henry, for ten per cent retained on monthly certificates from September 13, 1869, to March 31, 1870, inclusive, for cleaning the streets and repairing the unpaved streets of the Tenth and Eleventh Wards, approved correct by the Administrator of Improvements, $1155 52.

William Henry, for cleaning the streets and repairing the unpaved streets of the Tenth and Eleventh Wards, from seventeenth to thirty-first March, 1870, inclusive, approved correct by the Administrator of Improvements, $780.

Edward Burns, for keeping in repair the street bridges of the Fourth District and constructing new bridges and crossings, approved correct by the Administrator of Improvements, $440 67.

Edward Burns, for one month's services, keeping in repair the street bridges of the Fourth District, to February 28, 1870, approved correct by the Administrator of Improvements, $440 64.

Edward Burns, for one month's services, repairing the street bridges of the Fourth District, to March 28, 1870, approved correct by the Administrator of Improvements, $449 64.

Edward Burns, for constructing new bridges in the Fourth District, previous to April, 1870, approved by the Administrator of Improvements, $52 38.

New Orleans Bee, for printing and advertising, from April, 1868, to January, 1870, $1524 65.

Mrs. M. E. Schermerhorn, for the following cash warrants of the City of Jefferson, destroyed by fire, on security being given satisfactory to the Mayor and Administrator of Finance: No. 240, $32 90; No. 431, $150; No. 432, $150; No. 433, $112 50—$445 40.

Claims of E. R. Chevally & Co., introduced August 8, amounting to $211 75, were passed to a final reading.

Mr. Delassize called up the ordinance making appropriation for the expenses of his Department, which was passed.

By Mr. Walton:

DEPARTMENT OF FINANCE, September 13, 1870.

To the City Council of New Orleans:

The petition of E. L. Levy, referred to me September 6, asks for reimbursement of ninety-eight dollars and twenty-two cents ($98 22), paid to the city by S. L. and E. L. Levy, for taxes and interest on taxes between 1861 and 1864.

This claim is based upon the legislation (State and municipal) of 1866, for the relief of persons who were absent during the war, and is supported by two certificates issued by the Controller and Treasurer of the city, one dated April 22, 1867, for twenty-seven dollars and fifty cents ($27 50), for reimbursement of taxes; the other dated May 1, 1867, for seventy dollars and seventy-two cents ($70 72), for reimbursement of interest on taxes.

In regard to refunding interest paid on taxes, the ordinance under which our predecessors did so, viz: No. 113, new series, approved June 25, 1866, was repealed on the thirty-first of May, 1870. A similar petition to that of Mr. Levy's was addressed to the Council by P. A. D. Casanave, upon which I reported adversely on the second of August, under the advice of the City Attorney.

I believe that claims under the aforesaid legislation for the reimbursement of taxes have never been recognized by this Council.

The claim of Mr. Levy belongs to the same class as that of the Southern Cotton Press, which we have always refused to allow.

I respectfully request to be discharged from the further consideration of the subject, and suggest that the Secretary be instructed to return to Mr. Levy the certificates accompanying his petition.

JOHN S. WALTON, Administrator.

By Mr. Delassize:

DEPARTMENT OF WATERWORKS AND PUBLIC BUILDINGS, September 13, 1870.

To the City Council of New Orleans:

In reference to the petition of the Directresses of the House of Good Shepherd, asking the city to aid them in the erection of the building now in course of construction for said institution, the undersigned begs leave to report:

Regarding the mission of the petitioners as a most praiseworthy and useful one, that of rescuing a class of females from a deplorable lot, he cheerfully recommends the appropriation of two thousand dollars for their relief. The amount, unfortunately, is not adequate to the wants of the institution, but is proposed with reference to the condition of the city finances.

I ask the passage of the accompanying resolution.

L. T. DELASSIZE, Administrator.

Resolved, That the Administrator of Public Accounts warrant on the Department of Finance, in favor of the Directresses of the House of Good Shepherd, for the sum of two thousand dollars, to aid in the erection of the building now in course of construction for said institution.

The report was received and the resolution was read a second time, and laid over.

By Mr. Delassize:

DEPARTMENT OF WATERWORKS AND PUBLIC BUILDINGS, September 13, 1870.

To the City Council of New Orleans:

I beg leave to report unfavorably on the petition of George Kiefler, claiming damages to the amount of $100, for loss sustained by him on account of leakages in roof of Magazine Market, the party to whom Mr. Kiefler must apply being Mr. Redon, the lessee of the market at the time the damage is said to have been sustained.

L. T. DELASSIZE, Administrator.

Laid over to be printed.

Mr. Emley introduced an ordinance for the payment of certain accounts.

Mr. Walton remarked that under the ordinance passed at the last meeting the Administrator of Accounts was the only person who had a right to bring in any such ordinance.

Referred to the Department of Accounts.

By Mr. Emley:

DEPARTMENT OF COMMERCE, September 13, 1870.

To the City Council of New Orleans:

In relation to the petition of Mr. B. Sanahrens, asking permission to erect and operate a steam engine, to be used in a sash factory, opposite the old Pontchartrain Railroad depot, on Elysian Fields street, I respectfully suggest that the request be granted, the petition being accompanied by the written consent of a majority of the residents of said square.

S. C. EMLEY, Administrator.

Resolved, That permission is hereby granted to B. Sanahrens to erect and operate a steam engine, to be used in a sash factory on Elysian Fields street.

Laid over to be printed.

By Mr. Emley:

Be it ordained by the Council of the city of New Orleans, That from and after the first of September, 1870, the following salaries shall be paid in the Department of Commerce, viz:

Secretary, $2,400 per annum; Chief Market Inspector, 1,800 per annum.

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

Laid over to be printed.

Mr. Emley called up the resolution appropriating eleven hundred dollars for a truck for Washington Hook and Ladder Company, Algiers.

The resolution was again laid over, as was also the resolution appropriating $2500 for four fire companies of Algiers.

Monthly Reports.

Mr. West presented his monthly report as follows:

DEPARTMENT OF IMPROVEMENTS, September 12, 1870.

To the Hon. B. F. Flanders, Mayor:

As required by section ten, city charter, the following report of the operations of this department during August, is respectfully submitted.

Actual improvements can be very briefly treated of, but it is due to the large number of applications for relief to state that their requirements have received respectful and careful consideration, and it is always with regret that I am compelled to meet their demands either with positive denial, or with limited relief. From all quarters of the city, and in all the branches of the public works entrusted to the care of this department, appeals for outlays are so continuous that only the most determined firmness suffices to restrain monthly expenditures within reasonable bounds. Petitioners who ask for relief, and observers who can not fail to see the need of improvements and repairs, can thus form conclusions why they are not made. The community must not expect that the mistakes of the past and the necessities of the present can all be remedied and supplied in a few short months, and to yield assent to expenditures to the extent asked for would not be consulting the true interests of the city. Patience and forbearance must be exercised, even by those who only want small jobs attended to, as well as by others whose necessities are greater.

STREETS.

Continuous rains throughout the month made the task of cleaning very difficult, and put the unpaved streets in wretched condition. Laborers and carts were kept actively employed, and the close of the month manifested some improvement. General repairs were made in many quarters, but where travel over unpaved thoroughfares has been constant, these could barely be kept passable.

The weather also brought into notice very many defective sidewalks, requiring notices to be served upon property owners to make repairs. These have been generally complied with, but our sidewalks are mainly such as to need constant attention and repair.

Slow progress is being made by the Southern Paving Company upon St. Charles avenue, and the residents of that vicinity justly complain of the delay. It is difficult to reconcile the statements of that company made to the Council of the great damage to which they were subjected by not being allowed to proceed with the work, with the tardiness which they now manifest when they have ample opportunity to display energy.

Some attention has been given the past month to what may be called the cumberance of signs with which our business streets are afflicted. All suspended signs across streets have been ordered to be taken down, as a preliminary to a more radical reform of this great abuse. One business firm puts up a projecting sign, and a neighbor, in self-defense, is obliged to do likewise, with the result finally of no greater display than had they all confined themselves to the frontage of their buildings. Not only is the general appearance deformed, but the seeker for localities is in many instances positively bewildered with the number of signs obtruding upon notice. An ordinance will be offered at an early day to curtail the privilege of such unnecessary displays.

The street railroad cars upon Canal street, west of Magazine, are now all being run upon the neutral ground. The old tracks upon the street proper have not yet been removed owing to the lack of suitable material to repair the roadway, but vehicles will soon be relieved from these obstructions.

WHARVES AND LANDINGS.

The early opening of trade makes it much to be regretted that the repairs now in progress were not sooner commenced. Attention has been first given to receiving landings; and they are now nearly completed, leaving the contractors opportunity to engage upon the shipping wharves. The fall of the river has made sad havoc with these, and demonstrated the wisdom of the policy of extended repairs. It will be late in the season before all necessities will have been met. During the greater part of the month much difficulty has been experienced in gaining access to the river at many points owing to the bad weather, the operations of the Chattanooga Railroad Company, and to the use of large spaces for furnishing timber. Progress is making, however, and we will soon be tolerably well prepared for the transaction of the heavy fall trade now promising.

CITY DRAINAGE.

Nothing of interest can be reported under this heading. The different machines under the control of the city have been kept constantly running, relieving the streets from the continuous fall of rain. The Drainage Commissioners report their inability to properly serve the Dublin Avenue machine, which drains the greater part of the Fourth and Sixth Districts. It would seem incumbent upon the Council to devise some action in behalf of the residents of those districts.

The protection levees in the rear of the city have been carefully looked after and strengthened, and unless we should be visited with an equinoctial storm of more than usual violence, apprehensions of an overflow are not entertained.

GENERAL SUMMARY.

The current expenditures of this department for

August, amounted to	$47,107 80
July	50,530 45
June	47,999 59
May	45,144 21
April	41,382 09

An increase of laborers wages has been found necessary, various enterprises of improvement having created a demand that enhanced prices. Day laborers are now paid one dollar and seventy-five cents for light work, and two dollars for the heavier duties. These prices paid each every Saturday night, as is now being done by the city, secure better services and more justly remunerate the laboring classes.

A detailed statement of expenditures is herewith submitted as follows:

Department Proper—	
Pay roll of salaries	$416 67
Purchases	364 85
Charity	75 00
Bureau of Streets—	
Pay roll of salaries	3,536 06
Pay roll of wages	25,613 15
Purchases	3,190 60
Contracts	5,449 97
Bureau of Wharves and Landings—	
Pay roll of salaries	1,433 32
Pay roll of wages	863 70
Purchases	315 48
Contracts	583 33
Bureau of City Drainage—	
Pay roll of salaries	391 66
Pay roll of wages	3,055 23
Purchases	1,358 18
Judgment of Fourth District Court	500 00
Total	$47,107 80

J. R. WEST, Administrator.

The Council adjourned at 9 P. M.

H. CONQUEST CLARKE, Secretary.

OFFICIAL.

LAWS OF THE UNITED STATES.

Passed at the Second Session of the Forty-first Congress.

[PUBLIC—No. 62.]

AN ACT to incorporate the Columbia Railway Company of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William Gunton, John C. McKelden, Samuel Fowler, William B. Todd, William H. Clagett, John F. Callan, S. P. Brown, George H. Plant, W. C. Bester, E. M. Gallaudet, R. C. Fox, Matthew G. Emery, William Stickney, Martin M. Bohrer, Richard Sutton, David D. Cone, Robert Williams, William P. Copeland, William H. Riley, G. H. B. White, James T. Pritchard, J. C. Wall, John H. McOteeben, Poulus Thyson, Bernard Hayes, Jacob D. Kitch, and their associates and assigns, be and they are hereby created a body corporate under the name of the Columbia Railway Company, with authority to construct and lay down a single or double track railway, with the necessary switches and turnouts, in the city and county of Washington, in the District of Columbia, through and along the following avenues, streets and highways: commencing at a point on the eastern side of West Fifteenth street, on New York avenue, thence eastwardly along said avenue to its intersection with north K street; thence along north K street to its intersection with Massachusetts avenue; thence along Massachusetts avenue to its intersection with north H street; and thence along north H street to its eastern termination with the Columbia turnpike gate; with the right to run public carriages thereon drawn by horse-power, receiving therefor a rate of fare not exceeding six cents a passenger for any distance on said road.

SEC. 2. And be it further enacted, That should a majority of the stockholders so elect, at any time within two years after the completion of said road (provided for in section one above), the said company shall have the right to extend said road, either with a single or double track, with the necessary switches and turnouts, along the line of the Columbia Turnpike Road Company, with the consent of said Turnpike Road Company, or on any other road or roads leading northwardly or eastwardly from such intersection at the Columbia turnpike gate, now opened, or which may hereafter be opened, by the proper authorities, and there along said road or roads, by the most practicable route or routes, to the terminus near, at, or in the District of Columbia, receiving therefor a rate of fare not exceeding seven cents a passenger for any distance on said road or roads. The carriages on the extension of said road or roads to be propelled either by horse-power or dummy engines, at the option of the said railway company.

SEC. 3. And be it further enacted, That the said road or roads shall be deemed real estate, and, together with other real and personal property of said body corporate, shall be liable to taxation as other real estate and personal property, and to license for their vehicles or cars in the city and county aforesaid, except as hereinafter provided.

SEC. 4. And be it further enacted, That the said railway shall be laid as near the centre of the avenues and streets in the city of Washington as practicable (without interfering with or passing over the water or gas pipes), in the most approved manner adapted to street railways, with the rails of the most approved pattern, to be determined by the Secretary of the Interior, laid upon an even surface with the pavement of the streets or avenues, and the space between the two tracks (where two are laid) shall not be less than four feet nor more than six feet, and the carriages shall not be less than six feet in width; the gauge to correspond with that of the Metropolitan railroad. That the railways in the county should it be determined to construct such roads) shall be laid in such manner as will least interfere with the ordinary travel of the road or roads on which the tracks shall be laid.

SEC. 5. And be it further enacted, That the said corporation hereby created shall be bound to keep said tracks, and for a space of two feet beyond the outer rail thereof, and also the space between the tracks, so far as the same shall be within the limits of the city of Washington, at all times well paved and in good order, without expense to the United States or the said city. And in case the road shall be extended beyond the limits of said city, as is heretofore provided, the said corporation shall be bound to keep said tracks, and for the space of two feet beyond the outer rail thereof, and also the space between the tracks, well gravelled or macadamized and in good order, so as not to impede the general travel on said roads by vehicles or otherwise, without expense to the county of Washington.

SEC. 6. And be it further enacted, That nothing in this act shall prevent the government at any time, at its option, from altering the grade, or otherwise improving, all avenues and streets occupied by said road, or the city of Washington from settling and improving such streets and avenues and the sewerage thereof, as may be under their respective authority and control; and in such event it shall be the duty of said company to change their said railway so as to conform to such grade and pavement.

SEC. 7. And be it further enacted, That this act may at any time be altered, amended or repealed by the Congress of the United States.

SEC. 8. And be it further enacted, That nothing in this act shall be so construed as to authorize said body corporate to issue any note, token or device, scrip or other evidence of debt, to be used as currency.

SEC. 9. And be it further enacted, That the capital stock of said company shall not be less than one hundred thousand dollars nor more than four hundred thousand dollars, and that the stock shall be divided into shares of fifty dollars each, and shall be deemed personal property, transferable in such manner as the by-laws of said company may direct.

SEC. 10. And be it further enacted, That the said company shall place first-class cars on said railways, with all the modern improvements, for the convenience and comfort of passengers, and shall run cars thereon during the day and evening, from o'clock at night, and as often as every fifteen minutes, between west Fifteenth street and the eastern terminus of north H street, and in case the said road shall be extended beyond the city limits, on the entire road, or such portions as may be completed, through the day and night, as often as the public convenience and the interests of the railway company may require: Provided, however, That the carriages or cars thereon shall make not less than eight trips each way per day during six days in each week