New Orleans Republican.
OFFICIAL JOURNAL OF THE UNITED STATES
OFFICIAL JOURNAL OF NEW ORLEANS

CITY COUNCIL--OFFICIAL

REGULAR MEETING.

CITY HALL, NEW ORLEANS, Tuesday, November 5, 1872.

The Council was called to order in regular session at 12 M.

Present—Mayor Benj. F. Flanders (presiding), and Administrators John Cockrem (Improvements), Alfred Shaw (Public Accounts), L. T. Delassize (Waterworks and Public Buildings), F. C. Remick (Commerce), James Lewis (Police), John S. Walton (Finance), and H. Bonzano (Assessments).

The minutes of the previous meeting were approved and their reading dispensed with.

The Loan by the Fiscal Agent—Mayor's Reasons for Approval.

The Mayor read the following message to the Council:

MAYORALTY OF NEW ORLEANS, November 5, 1872.

To the City Council of New Orleans:

ADMINISTRATORS—The vote on the loan ordinance at the last meeting of the Council seemed to cast upon me the responsibility of deciding whether the ordinance should go into effect or not. In declaring the ordinance adopted I stated that I would give my reasons for my decision, whatever it might be, at the next meeting, and that I should decide as soon as possible to prevent the scandal which might arise from speculations in city paper during a delay. I was therefore much gratified, immediately after the adjournment, by a visit from the large number of very intelligent and respectable citizens who had attended the meeting of the Council and remonstrated against the passage of the ordinance. They wished me to veto the ordinance, and presented the following specific objections to it, enforcing those objections by argument at considerable length:

1. That it was improper for the Council to adopt so important a measure so near the end of its official term of office.
2. That the action was hasty.
3. That it was illegal.
4. That it converted non-interest bearing obligations into an interest bearing debt.
5. That the terms are too onerous and that better could be obtained: that proposals ought to be advertised for so that all parties might have a fair chance at the loan.
6. That the securities given the bank are too much for the amount loaned.
7. That the bank has been purchasing a large amount of city obligations which are to be taken up under the ordinance, and that it will make a large sum of money by the operation.
8. That the ordinance allows the bank to decide to which city creditors the $125,000 cash per month shall be paid.
9. That it does great injustice to holders of bond certificates in postponing for a year the conversion of the certificates into the gold interest bearing bonds by allowing the bank a year to negotiate the sale of the bonds.
10. That the bank is a new institution, with a small capital, and that it does not, therefore, afford guarantees for the safety of so large an amount of collateral securities as the city places in its hands.
11. That the proposed loan will be inadequate to place the city on a cash basis.

These are all the objections those gentlemen had to suggest. They embrace substantially all that I have heard urged or that I have been able to find, either against the adoption of the ordinance by the present Council or against the measure itself.

Before proceeding to discuss the merits or demerits of the measure, let us see what it is. It has been misrepresented to the public. Several of the gentlemen remonstrants admitted that they had not read the ordinance, and their remarks about it showed that they had been misinformed in regard to its provisions.

The bank stipulates in its proposition, which is the substance of the ordinance under consideration:

1. To continue the loan of $500,000 now due the bank by the city.
2. To pay and return to the city $150,000 of its obligations, which are now receivable for taxes.
3. To advance $500,000 in cash, $125,000 a month for each of the months of November, December, January and February, making a total loan of $1,250,000, upon the following terms and conditions:
1. One per cent commission on the amount paid out, and interest at eight per cent in gold on the amount loaned.
2. Security in certificates convertible into

gold interest bonds	$873,000
Ten per cent bonds	325,000
Market mortgage notes	50,000
Total	$1,248,000

3. That the city shall issue no more appropriation certificates or other evidences of indebtedness till the fifteenth of March next, except such as are required by law or for existing contracts, or for indebtedness already incurred.
4. To continue the bank as Fiscal Agent of the city till 1877.
5. To extend for six months the existing agency of the bank to negotiate the $10,000,000 loan, viz: till October, 1873.
6. To pledge and set apart the resources of the markets to pay the interest and principal of the loan, as required by the city charter, when a debt is increased exceeding $100,000.

The first objection of the remonstrants to this movement is one of propriety or taste, and as such it can not be discussed; but it may be examined as a question of official right or duty. If the measure be a bad one it should not be adopted at all; if a good one, and, in the judgment of the Council, promotive of the best interests of the city, and within the scope of their powers, they should adopt it, though at the last hour of their official existence. They should act in such a matter as though they were to have the care of the city's interests and to be responsible for its governmental welfare indefinitely. In this objection, and in the allegation of haste there is the covert implication that the Council desires some individual advantage by the transaction, and that their successors will be more competent than they are to judge of the necessity or expediency of the measure in question.

The ordinance was before the public and under consideration by the Council a week before it was adopted. This is not hasty legislation. If it be illegal, the bank runs the risk, not the city; and the bank may take care of that.

If the bank has purchased city obligations, as is alleged, and now holds them, it has thereby aided the city credit, and as the city must pay her obligations at par, whoever holds them, the city is not in any way injured by this course, nor can other holders be injured, unless the obligations they own are depreciated by this measure, and the manifest fact is that its effect has been exactly the reverse. Who, then, is wronged?

It is further objected that the terms are too onerous, and that better could be obtained by advertising for proposals for a loan. Let us examine this.

The interest stipulated is lower by two per cent at least than current rates, and I doubt if the collateral security given would sell now for more than the amount of the loan. It is safe to say that a loan could not be obtained from other parties upon the same terms, and these are all that the city can offer to others. This bank is enabled to make the terms as easy as they are by other advantages which cost the city nothing, but which are valuable to the bank, viz.: the extension of the bank's term as fiscal agent and negotiation of the loan. The former the bank already has for two years by law and the latter for six months by an existing contract. Until the expiration of these periods the agency could not be taken from the bank or given to another. The fiscal agent exists by law of the legislature and pays nothing to the city for its position, and it matters little to the city what bank holds it so long as the bank selected performs its functions and the city's funds are safe in its keeping. It is but just that the bank should have an extension of time as negotiator of the loan, so as to reap the benefit of the city's credit, which it is believed will be greatly enhanced by its restoration to a cash basis by means of this loan now made to the city. Although it is asserted that a loan might be obtained upon better terms, no one except this bank has made any proposal, though everybody has known the extreme wants of the city for months past.

The next objections, that the ordinance did not specify who should decide to whom the monthly cash payments should be made, and the complaint of the injustice done the holders of convertible certificates by the postponement of their conversion a year, seemed well founded. I called upon the bank for a reply to these objections, and the answer of Mr. Van Norden, hereto appended, removes the objections and sets those matters right.

The objection that the bank is a new and weak bank would be important if it were borrowing from the city instead of lending. It is sufficiently strong, so far as the city is concerned, if it furnishes the money as it stipulates to do. And there is no danger of embezzlement of the securities placed in its hands. It can not run away with the markets, and the bonds are not worth as much as the amount of money loaned on them.

The last objection to be considered is that the loan is inadequate to place the city on a cash paying basis. I believe that it is adequate, if the ordinance be carried into full effect. It pays off $150,000 of the $800,000 of city obligations now outstanding, leaving only $350,000 receivable for taxes. I have no means of knowing how many police and school warrants there are out. They are estimated at $350,000. I believe they are less. Add for police and school warrants and certificates on existing contracts, etc., allowed to be issued by exception in the ordinance, $150,000 a month for four months, $600,000. Add also the amount out as before stated, $350,000, and we have a total of $1,300,000.

Taxes and licenses, in the meantime, produce at least $2,000,000. The $125,000 cash per month is running into debt so much, and it is amply sufficient to meet necessary expenses not otherwise provided for until next year's tax is due and collectible. Meantime, the outstanding appropriation certificates, police and school warrants not provided for by the loan, and those to be issued under the exception in the ordinance, will necessarily be raised nearly or quite to par.

I approved of the ordinance and signed and promulgated it because it affords ways and means to put the city on a cash paying basis; because the interest paid for the money is low, the securities required reasonable and safe; because it saves the city $40,000 to $50,000 a month, which it now loses by the depreciation of its paper obligations, and as much more in the aggregate to the teachers and other employes of the city; and because it injures no one who has a right to complain.

BENJ. F. FLANDERS, Mayor.

The letter of Mr. Van Norden, above referred to, was as follows:

LOUISIANA SAVINGS BANK, No. 24 Camp street, New Orleans, October 29, 1872.

Hon. B. F. Flanders:

Yours with question in regard to our understanding of the manner in which the cash, to be advanced by this bank, under proposition made by us, is to be used, is received.

In reply I have to say that we intended the money to be paid by order of the Council for such purposes as the Council may decide, to the amount of $125,000 agreed on.

I would also add that, in regard to the exchange of the new bond for warrants already issued, the ordinance does not touch upon the matter. The bank, however, has ordered the bonds printed, and they are being pushed forward to completion, and will be issued in about sixty days or sooner. W. VAN NORDEN, President.

The message and accompanying communication were received and ordered printed:

Reports from the Treasurer.

Mr. Walton presented his monthly report as follows:

MONTHLY REPORT OF ADMINISTRATOR OF FINANCE FOR MONTH ENDING OCTOBER 31, 1872.

	Dr.
To balance from September 30, 1872	$4,558 06
City taxes, 1870, collections	273 35
Consolidated loan tax, 1870, collections	234 50
Interest on railroad bonds, 1870, collections	70 00
Metropolitan Police tax, 1870, collections	48 07
New Orleans Park tax, 1870, collections	41 36
Tax redemption, million loan, 1870, collections	97 62
Bills receivable, 1872, collections	165 00
Cemeteries, 1872, collections	573 00
City taxes, 1871, collections	12,477 42
Consolidated loan tax, 1871, collections	7,473 62
City railroads, 1872, collections	565 32
Drainage, collections	979 95
Extra tax, 1872, collections	7,236 95
Fines and fees, 1872, collections	1,739 95
Ground rents, 1872, collections	659 21
Interest, collections	923 59
Interest on ten per cent bonds, 1871, collections	2,317 74
Interest on railroad bonds, 1871, collections	2,397 94
Interest on street improvement bonds, 1871, collections	120 22
Levee dues, 1872, collections	17,065 50
Licenses, 1872, collections	1,343 50
Markets, 1872, collections	21,375 00
Metropolitan Police warrants, 1872, collections	1,997 84
Metropolitan Police tax, 1871, collections	1,997 84
New Orleans Park tax, 1871, collections	1,997 92
Printing tax list, 1871, collections	247 50
Pontchartrain railroad tax, 1872, collections	26 66
Public squares, 1872, collections	600 00
Public school warrants, collections	1,000 00
Sugar Shed dues, collections	54 40
School tax, 1871, collections	4,331 65
Tax redemption, million loan, 1871, collections	5,198 02
Vehicle numbers, 1872, collections	22 75
Waterworks, 1872, collections	1,697 13
Waterworks, 1873, collections	13,799 18
Total	$111,619 35
Balance October 31, 1872	4,112 47
	Cr.
Consolidated loan tax, 1870, Louisiana Savings Bank, Fiscal Agent	$204 50
Interest on railroad bonds, 1870, Louisiana Savings Bank, Fiscal Agent	74 00
Tax redemption million loan, 1870, Louisiana Savings Bank, Fiscal Agent	97 62
Blue Metropolitan Police warrants, disbursements	599 54
Consolidated loan tax, 1871, Louisiana Savings Bank, Fiscal Agent	7,473 62
Certificates of appropriation, disbursements	10,265 00
Five-eighths tax excess, disbursements	403 56
Interest, disbursements	414 79
Interest on seven per cent bonds, 1868, Louisiana Savings Bank, Fiscal Agent	16,849 00
Interest on seven-thirty certificates, Louisiana Savings Bank, Fiscal Agent	36 52
Interest on Waterworks bonds, Louisiana Savings Bank, Fiscal Agent	5,306 00
Interest on wharf improvement bonds, Louisiana Savings Bank, Fiscal Agent	6,811 91
Interest on ten per cent bonds, 1871, Louisiana Savings Bank, Fiscal Agent	2,317 74
Interest on railroad bonds, 1871, Louisiana Savings Bank, Fiscal Agent	2,397 94
Interest on street improvement bonds, 1871, Louisiana Savings Bank, Fiscal Agent	120 22
Interest on new consolidated loan gold bonds, Louisiana Savings Bank, Fiscal Agent	10,699 00
Law charges, 1872, disbursements	9,534 25
Metropolitan Police warrants, 1872, disbursements	4,062 81
Metropolitan Police tax, 1871, State Treasurer	1,997 93
Pontchartrain railroad tax, 1872, Louisiana Savings Bank, Fiscal Agent	26 66
Public school warrants, disbursements	6,027 37
Redemption of wharf improvement bonds, Louisiana Savings Bank, Fiscal Agent	6,591 66
Tax redemption, million loan, 1871, Louisiana Savings Bank, Fiscal Agent	5,198 02
Tax warrants, disbursements	253 00
Waterworks, fiscal, 1872, disbursements	5,594 43
Total	$107,505 88
Balance	4,113 47
Grand total	$111,619 35

JOHN S. WALTON, Administrator of Finance.

By Mr. Walton:

DEPARTMENT OF FINANCE, November 5, 1872.

Report of taxes unpaid and due October 31, 1872.

Tax year.	Due per last report.	Collected in October.	Due October 31, 1872.
1860 to 1862	$832,012 37	.....	$832,012 37
1867	194,355 77	.....	194,355 77
1868 to 1870	610,462 25	.....	610,462 25
1869	202,731 16	.....	202,731 16
1870	275,445 65	$591 00	274,854 65
1871	1,168,704 51	43,626 96	1,125,077 55
Total	$3,334,291 51	$44,704 96	$3,289,835 85

I have to repeat the remark made in my last report, viz: that a large part of the tax bills previous to 1868 are worthless, and can not be collected. I have not been able to get any return from the sheriff.

JOHN S. WALTON, Administrator.

Department Reports, etc.

By Mr. Delassize:

DEPARTMENT OF WATERWORKS AND Public Buildings, November 5, 1872.

To the City Council of New Orleans:

Some time after the close of the last session of the Legislature I was waited upon by Dr. J. J. Hayes, who presented to me a slip, on which was printed what purported to be a law, giving to him the exclusive privilege, as before recited, a note attached to the act stating it to have become a law by the failure of the Governor to return it to the Legislature within the period prescribed by the constitution, the doctor taking the opportunity to urge upon me immediate compliance with its provisions. Knowing that the act in question had been passed only the night previous to the last day of the session of the Legislature, and of course could not be in the Governor's hands the requisite time, I stated to the doctor I did not consider it a law and that I would not comply therewith. I afterwards consulted with the City Attorney in relation thereto, and he bore me out in my decision.

I have therefore thought proper to make no change in the disposition of the small-pox patients, but continue to send them to the small-pox hospital of Dr. Anfoux, by virtue of and in compliance with a contract still in existence between Dr. Anfoux and the city authorities.

I ask that my action may be approved.

L. T. DELASSIZE, Administrator.

Received and approved.

By Mr. Bonzano:

An ordinance authorizing the purchase of the title of Samuel P. Blanc to certain lots of ground in the Sixth District.

Be it ordained, That the Mayor be authorized to purchase the title of Samuel P. Blanc to four lots of ground situated in square No. 230, fourteenth assessment district, between Magazine, Camp, Berlin and Napoleon avenue, by the payment to said Blanc of $1400, the said Blanc giving a complete quit-claim title to the same.

Read twice and laid over.

By Mr. Bonzano:

Resolved, That the Administrator of Public Accounts is hereby authorized to cancel tax bills Nos. 412 and 413 for the year 1871 against the American Mission Association, amounting to $591 25, the same being for an assessment on property in square No. 760, ninth assessment district, actually and exclusively used for religious and educational purposes, and exempt from taxation by section fifteen of the city charter.

The Administrator of Assessments is also authorized to cancel the assessment for 1872 on the same property.

Adopted.

Appropriations.

Mr. Shaw called up the ordinance read twice and printed last week, providing for expenses of Department of Police, commencing New Orleans Republican, $16.

Various items of subscriptions to New Orleans Republican were laid over for further examination. The rest of the ordinance was adopted.

Mr. Shaw said he voted no on the ordinance, not because he objected to the items, which he had no doubt were all correct, but because he believed the provisions of section nineteen of the city charter extended to his voting for as well as auditing claims which there was no money in the treasury to meet.

Mr. Shaw called up an ordinance, read twice and printed last week, commencing New Orleans Bee, $61 50.

The following items were added:

Benj. F. Flanders, Mayor, contingent expenses as per vouchers, $150.

A. C. Lewis, for professional services in prosecuting, criminally, Vincent Roux, collector in Department of Waterworks and Public Buildings, $200.

Thus amended, the ordinance was adopted, with the exception of a claim of Dr. A. Shelley, $379 70, which was laid over.

An ordinance providing for expenses of the Department of Improvements, read twice last week, commencing P. Keenan, $50, was adopted with some corrections, Mr. Shaw voting no, for the reason already assigned.

The expense ordinance of the Department of Assessments, read twice last week, commencing New Orleans Republican, $551, was adopted.

An ordinance printed last week, providing for expenses of the Department of Commerce, commencing Joseph Miller, $45, was adopted.

An ordinance relative to the drainage of the fourth drainage district, read twice and printed last week, was adopted.

An item, New Orleans Picayune, advertising collection of water rates, $21, was passed.

The weekly pay-roll for the week ending November 4 was adopted.

By Mr. Shaw:

An ordinance for the payment of the pay rolls therein named.

Be it ordained, That the sum of $16,000, or so much thereof as may be found necessary, is hereby appropriated for payment of the weekly pay rolls of the city for the week ending November 11, 1872.

Passed two readings.

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.

J. Kent, brickbats, $87 50.
A. Boucher, lumber, $55 83.
W. K. Spearing, buggy hire, $108.
Folger & Co., hardware, $184 92.
Slocomb, Baldwin & Co., hardware, $36 31.
H. & C. Tyler, coal, $625.
J. W. Madden, stationery, $289 75.
A. Hero, copies of contract, $8.
L. Lambert, repairing tools, $22.
Witham & Rovira, lumber, $58 93.
Folger & Co., hardware, $18 75.
M. Condram, oyster shells, $418 50.
J. Root, ballast, $501.

Passed two readings.

By Mr. Shaw:

An ordinance appropriating money to defray the expenditures of the Department of Waterworks and Public Buildings for the month of October, 1872.

Be it ordained, That the following sums, or so much thereof as may be necessary, are hereby appropriated to defray the expenditures of the Department of Waterworks and Public Buildings for the month of October, 1872, and that the Administrator of Public Accounts draw his warrants on the the Administrator of Finance in payment of the same:

WATERWORKS.

W. A. Weed & Co., stationery	$31 00	
New Orleans Bee, advertising	5 25	
R. Carey, replacing pavement	429 88	
L. Pierce, washing towels, etc	6 50	
New Orleans Republican, subscription	16 00	
J. C. Van Wickle, rent	83 35	
Hasam & Pooley, lumber	129 50	
Folger & Co., hardware	191 00	
Folger & Co., hardware	260 65	1,156 13

INSANE ASYLUM.

D. Mercier, clothing	$675 00	
D. Mercier, clothing	295 00	
D. Mercier, clothing	294 00	
D. Mercier, clothing	300 00	
D. Mercier, clothing	294 00	
Joseph Palmeson, vegetables	46 50	
Folger & Co., lamps, etc	59 73	
E. F. Brown & Co., provisions	339 66	
New Orleans Republican, subscription	16 00	
C. Dunn, wood	45 00	2131 89

HOME OF AGED AND INFIRM.

James Ready, rent	$125 00	
D. Mercier, clothing	146 00	
E. F. Brown & Co., provisions	182 25	
Mrs. A. Gorman, reimbursement	12 00	
New Orleans Republican, subscription	16 00	
C. Dunn, wood, etc	24 00	505 25

COURTHOUSES.

Aug. LeBlanc, reimbursement	$261 00	
E. F. Brown & Co., brooms, etc	22 50	283 50

MARKET HOUSES.

J. T. Hamlin, repairs	$55 43	
G. Bedout, repairs	40 00	
J. Marine, repairs	49 00	
T. Hasam, lumber	16 80	
E. Darse, repairing roofs	316 65	
J. E. Darse, repairing roofs	249 21	
J. E. Darse, repairing roofs	244 73	1171 96

CITY HALL.

E. Darse, repairing roof	$200 00	
Crescent City Ice Company, ice	55 40	315 40

PARISH PRISON.

J. T. Hamlin, repairs		47 00

CHARITY.

D. Mercier, blankets for St. Vincent Infant Orphan Asylum		350 00
Total		$5391 43

Passed two readings.

By Mr. Shaw:

An ordinance providing for the settlement of the registered bill therein described.

Be it ordained by the Council of the city of New Orleans, That the Mayor and Administrator of Finance be authorized, under the laws for funding, to settle with Eager, Ellerman & Co. for a bill for repairs on wharves and landings amounting to $746 75, registered and approved March 31, 1870, by the late finance committee by No. 567, with seven per cent per annum interest from date of registration, by issuing a certificate for new consolidated gold bonds at ninety cents on the dollar.

Passed two readings.

By Mr. Shaw:

An ordinance 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:

N. Trepagnier, clerk First District Court, for costs and fees in sundry cases in the month of October, 1872, as per bill approved by the judge of the First District Court, $1070 35.

C. H. Luzenberg, district attorney, for twenty-two convictions in the month of October, 1872, as per bill approved by the judge of the First District Court, $330.

P. Granzin, repairing clock in Mayor's parlor, approved, $12.

A. Hero, Jr., office rent for the month of October, 1872, as per ordinance No. 18, Administration series, $50.

A. Ingraham and R. C. Mott, fees as experts in suit No. 24, City of New Orleans for the use, etc., vs. Howell, et als., Fifth District Court ($100 each), $200.

J. A. Masicot, criminal sheriff for the parish of Orleans, for the maintenance of prisoners and turnkey's fees in the month of October, 1872, as per bill approved by the judge of the First District Court, $6270 20.

C. E. Girard & Co., for rent of premises known as the Orleans Ball Room, from June 24, 1872, to October 31, 1872, inclusive (four months and ten days, at $250 per month), $1083 33.

E. C. Morphy, recorder of births and deaths, for recording the same for October, 1872, $82 50.

P. Creagh, coroner, for views and inquests in the First, Fourth, Fifth and Sixth Districts, for October, 1872, $1130.

E. V. Witch, for extra services, Department of Finance, $100.

J. A. Gresham, for printing act for the City Attorney's office, approved, $60.

J. A. Gresham, for one copy acts of Louisiana, $8.

John S. Walton, Administrator of Finance, for law charges advanced, as per vouchers attached, $2249 50.

J. A. Masicot, criminal sheriff for the parish of Orleans, for costs and fees in sundry cases in the month of October, 1872, as per bill approved by the judge of First District Court, $2470 15.

J. Buckley, printing and stationery for Mayor's office, approved, $15 45.

Passed two readings.

General Business.

Mr. Shaw called up on final passage a claim of J. R. Conway, ex-Mayor, $700

Yeas—Cockrem, Shaw, Delassize—3.

Nays—Remick, Lewis, Walton, Bonzano—4.

Lost.

By Mr. Walton:

An ordinance to amend ordinance No. 1832.

Be it ordained by the Council of the city of New Orleans, That in order to bring within the scope of ordinance No. 1832, Administration series, all persons who are entitled to receive evidences of indebtedness incurred previous to November 1, 1872, the first paragraph of section one of said ordinance is hereby amended (with the consent of the Louisiana Savings Bank and Safe Deposit Company), so as to read as follows, viz:

"SECTION 1. First—That the Louisiana Savings Bank and Safe Deposit Company shall at once commence to pay, on behalf of the city, in lawful money of the United States, to the amount of $450,000, various evidences of indebtedness of the city of New Orleans, issued for debts due previous to the first of November, 1872, as follows, namely."

Adopted, Mr. Shaw voting no.

Mr. Walton called up the following ordinance, laid over since July 16:

An ordinance to provide for destruction by fire of certain bonds, city notes and blanks.

SECTION 1. Be it ordained by the Council of the city of New Orleans, That the Mayor and Administrator of Finance and the president of the fiscal agency be authorized to cause to be destroyed by fire in their presence the following:

All ten per cent bonds on hand, whether blank or signed, of the issue of 1871, excepting such as may be required to carry out any of the appropriations or contracts heretofore made, or the law authorizing their issue.

All seven per cent bonds of the issue of 1870 which the treasury holds by transfer with subrogation.

All city note blanks, and all redeemed city notes, unless such as they may find it necessary to keep for identification on account of any existing claim or lawsuit.

SEC. 2. Be it further ordained, etc., That they shall make a strict detailed inventory of the bonds and notes so destroyed, whether signed or in blank, and shall accompany the same with a process verbal of their acts and doings under this ordinance, which shall be communicated to the Council and published in its proceedings.

Adopted, Mr. Shaw voting no.

The Council took a recess until Thursday, November 7, at noon.

H. CONQUEST CLARKE, Secretary.

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

AN ACT No. 84.

To incorporate the Springfield and Blood River Railroad Company, Livingston parish, State of Louisiana.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That Peter H. Kemp, Thomas Benton Kemp and Simpson Kemp, and their associates and successors, are hereby created a body corporate under the style and title of the Springfield and Blood River Railroad Company, and under such name they shall have a common seal, sue and be sued, plead and be impleaded, and possess all and severally the rights, powers, privileges and incidents belonging to similar corporations by the laws of Louisiana; and this charter shall remain in force for the period of twenty-five years from and after the passage of this act.

SEC. 2. Be it further enacted, etc., That the said company are hereby authorized and empowered to lay out, locate, contract, equip and thereafter own, maintain and enjoy a railroad from Springfield to Blood river in Livingston parish, Louisiana, by such route as the company may deem most direct and practicable.

SEC. 3. Be it further enacted, etc., That for the purposes herein set forth said company shall have the right of way to the distance of fifty feet on each side of the outer line of said railroad belonging to the State of Louisiana, and it shall acquire right of way through private land by gift or by expropriation as provided by law.

SEC. 4. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER, Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK, Lieutenant Governor and President of the Senate.

Approved May 4, 1872.
(Signed) H. C. WARMOTH, Governor of the State of Louisiana.

A true copy:
F. J. HERRON, Secretary of State.

AN ACT No. 82.

Making Shrove Tuesday, or Mardi-Gras, a legal holiday.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the day known as Shrove Tuesday, or Mardi-Gras, be and is hereby declared a legal holiday throughout the State of Louisiana.

SEC. 2. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER, Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK, Lieutenant Governor and President of the Senate.

Approved April 23, 1872.
(Signed) H. C. WARMOTH, Governor of the State of Louisiana.

A true copy:
F. J. HERRON, Secretary of State.

AN ACT No. 83.

To locate the seat of justice of the parish of Livingston.

WHEREAS, Under act of the Legislature of eighteen hundred and seventy-one, an election was held to decide the location of the seat of justice for the parish of Livingston; and

Whereas, A majority voted for the removal of the courthouse from Springfield, and a plurality located the courthouse or seat of justice at Port Vincent; therefore

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the seat of justice for the parish of Livingston shall be located at Port Vincent, in the parish of Livingston.

SEC. 2. Be it further enacted, etc., That the president of the police jury of said parish shall appoint three commissioners to have the buildings necessary to carry out the provisions of this act erected, and that the police jury shall levy a tax, to be paid in currency, equal to pay one-half of the expense of said buildings, the other half to be paid for by subscription.

SEC. 3. Be it further enacted, etc., That it shall be the duty of the collector of parish taxes, for the parish of Livingston, to collect the tax levied under this law, and pay over the same to the parish treasurer of Livingston parish, who shall pay the same to the order of the commissioners of public buildings when said buildings are completed.

SEC. 4. Be it further enacted, etc., That it shall be the duty of the parish judge of the parish of Livingston, when he is notified that the buildings, courthouse, jail and offices of recorder, clerk and sheriff are completed, to examine the same, and if the houses built, and courthouse, jail and offices as aforesaid, then he shall order all the records of the parish of Livingston to be removed from Springfield to Port Vincent, and the present public buildings shall be sold at public auction, and the proceeds applied to pay for the removal of the public records to Port Vincent.

SEC. 5. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER, Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK, Lieutenant Governor and President of the Senate.

Approved June 4, 1872.
(Signed) H. C. WARMOTH, Governor of the State of Louisiana.

A true copy:
F. J. HERRON, Secretary of State.

AN ACT No. 91.

For the relief of W. H. Vaughn.

WHEREAS, W. H. Vaughn, State tax collector of the parish of Morehouse, has overpaid the amount of taxes charged to him for the year 1866, to the amount of four hundred dollars, as shown per certificates of the Auditor herewith annexed; therefore,

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the sum of four hundred dollars be and the same is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, in payment thereof, and that this act go into effect from and after its passage.

(Signed) O. H. BREWSTER, Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK, Lieutenant Governor and President of the Senate.

Approved July 1, 1872.
(Signed) H. C. WARMOTH, Governor of the State of Louisiana.

A true copy:
F. J. HERRON, Secretary of State.

AN ACT No. 94.

To provide for the construction of a shell road in the parish of Jefferson by the police jury of the left bank of said parish, and for the payment thereof; for the keeping of the same in repair, and to authorize said police jury to levy a special tax for said purpose.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That it shall be the duty of the police jury of the left bank, parish of Jefferson, and it is hereby authorized and empowered to pass and adopt, within ten days from the passage of this act, the necessary ordinances and resolutions for the construction within one year from the adjudication of the contract, of a shell road extending along the Metairie ridge in said parish of Jefferson, from the New Orleans canal west as far as the Labarre road, and at the option of said police jury along the Labarre road to the river Mississippi; said road shall be in all respects a first-class shell road, and shall be built in accordance with the specifications to be furnished by the surveyor of the parish; and it shall be the duty of the police jury to cause the surveyor of said parish, or of some other, in case there be no such officer, to furnish the necessary plans, lines, grades, levels, curves, etc., and to take the general superintendence, in accordance with the specifications furnished, and the cost of this shall be assumed by the contractors.

SEC. 2. Be it further enacted, etc., That the cost of the construction of said shell road shall be borne in equal proportions, one-half each by the front proprietors bordering on said road, pro rata, and the said police jury of the left bank, parish of Jefferson, and the proportion of the front proprietors shall remain a lien and privilege superior to all other liens and privileges upon the property fronting on said road in favor of the contractors thereof, until fully paid, by recording the bills for the same, duly certified by the surveyor of said parish, in the office of the recorder of said parish.

SEC. 3. Be it further enacted, etc., That it shall be the duty of said police jury of the left bank, parish of Jefferson, within ten days from the passage of this act, to advertise for ten days in the official papers of the parishes of Jefferson and Orleans for proposals, to be sealed and directed to said police jury, and to be opened by them in open and public meeting of said police jury on a day to be named in said advertisement, when said police jury shall proceed to adjudicate the contract to build said road to the lowest bidder, and shall proceed, in such form as said police jury shall determine, to make a formal contract in accordance with the plans and specifications, and said lowest proposal, with said lowest bidder, and may require of such lowest bidder such security as said police jury may think proper for the faithful performance of the contract within such time as the said police jury and said contractors may agree, it being understood that this shall not exceed one year.

SEC. 4. Be it further enacted, etc., That from and after the completion of said shell road hereinbefore provided for, it shall be the duty of said police jury, during the month of December of each and every year, to appropriate a sufficient sum of money out of its treasury to keep said road in repair during the current year, which sum shall not be appropriated to any other purpose.

SEC. 5. Be it further enacted, etc., That upon the completion of said shell road, and said completion having been duly certified to, according to the provisions of this act, it shall be the duty of said police jury of the left bank, parish of Jefferson, to at once pay to the builders of said road, or otherwise settle with them, as both parties to the contract may agree, the proportion of the police jury being one-half the total cost thereof; and should there not be sufficient funds in the treasury, the police jury are hereby authorized to levy a special tax sufficient to pay the sum required upon all the taxable property in the left bank, parish of Jefferson, to be equally assessed according to the last assessment made before the levying of such special tax; and upon the collection of such special tax, which shall be immediately proceeded with, said police jury shall pay its proportion of the cost of the shell road herein provided for.

SEC. 6. Be it further enacted, etc., That all laws or parts of laws contrary to or inconsistent with the provisions of this act are hereby repealed.

SEC. 7. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER, Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK, Lieutenant Governor and President of the Senate.

A true copy:
J. W. FAIRFAX, Assistant Secretary of State.

Received in the office of Secretary of State August 6, 1872.

The foregoing act having been presented to the Governor of the State of Louisiana for his approval, and not having been returned by him to the house of the General Assembly in which it originated within the time prescribed by the constitution of the State of Louisiana, has become a law without his approval.

AN ACT No. 86.

To fix the terms of the district court in the Fourteenth Judicial District, designating certain weeks of said terms for the trial of civil cases, and certain weeks for the trial of criminal cases, and providing for the drawing and summoning of juries for said terms.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the terms of the district court in the Fourteenth Judicial District are hereby fixed, and shall commence as follows, to wit: For the parish of Ouachita, on the second Mondays of March and September; for the parish of Richland, on the third Mondays of April and October; for the parish of Morehouse, on the third Mondays of May and November.

SEC. 2. Be it further enacted, etc., That the first two weeks of each term shall be devoted exclusively to the transaction of the business on the civil docket of the court, to the business of the grand jury, and to the filing of criminal informations and the orders thereon; no other proceedings on the criminal docket of the court shall be had during the first two weeks.

SEC. 3. Be it further enacted, etc., That the remaining weeks of each term shall be devoted to the transaction and disposal of the criminal business of the court, and to the trial of civil jury cases. During said remaining weeks no proceeding shall be had in any civil case, unless an order for the trial of such case by a jury shall have been made previous to the third week; provided, that in all cases judgments may be signed, and motions for new trials and motions for appeals may be made and disposed of during said remaining weeks; and, provided further, that, by special permission of the court first obtained, together with consent of parties, proceedings may be had in any other case during said remaining weeks.

SEC. 4. Be it further enacted, etc., That, in the manner provided by law, two juries shall be drawn for each of said terms of court, to be designated as the "first jury" and the "second jury." The first jury shall be summoned to attend on the first day of the term. From the first jury the grand jury shall be selected and drawn in the manner provided by law. The remaining jurors of the first jury shall then be discharged till the third Monday of the term, when they shall again attend, and shall serve for the third week. The second jury shall be summoned to attend on the fourth Monday of the term, and shall serve for the fourth week, and as much longer as they may be needed. Any of the first jury who may be impanneled on the trial of a case shall be retained until the termination of said case. All objections or exceptions to the formation, construction, drawing, or summoning of said juries shall be filed on the first day of the term, and not afterward; and if the juries should be set aside a new first jury shall be immediately drawn and summoned for the second Monday, and a new second jury for the fourth Monday of the term, and the court shall proceed. Juries drawn for the first term of court under this act shall be legal, without regard to the time when drawn, if in other respects legal.

SEC. 5. Be it further enacted, etc., That all laws or parts of laws conflicting with this act are hereby repealed so far as they conflict, and that this act shall