New Orleans Republican.
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CITY COUNCIL--OFFICIAL

REGULAR MEETING.

City Hall, New Orleans, Tuesday, March 18, 1873.

The Council met this day at 12 M., in regular session.

Present—Hon. Louis A. Wiltz, Mayor, presiding, and Administrators Brewster, Calhoun, Fitzenreiter, Lewis, Schneider, Sturcken and Turnbull.

At the suggestion of the president of the Council, the minutes of the last meeting were corrected so that it should appear that the consideration of his message recommending certain amendments to the ordinance granting the New Orleans Elevator and Warehouse Company permission to locate a railroad track in certain streets, etc., was laid over temporarily, instead of being deferred until the next meeting. Thus amended, the minutes were approved.

The President, calling Mr. Schneider to the chair, took the floor, and upon a question of privilege, addressed the Council in relation to an editorial article published in the Republican of this date, headed "A delay in assessing the school tax," vindicating himself and the Council against the strictures therein, and expressing for himself and the Administrators a disregard of the covert threat at the conclusion of the article.

Communications from the Mayor and Administrators.

Mr. Trumbull, Administrator of Commerce, reported the following receipts in his department during the month of February:

From sale of markets, for the month of March, $20,800.

Wharfage and levee dues collected from February 1, 1873, to March 1, 1873, $22,054 96.

Financial Business on Final Passage and Ordinances on Third Reading.

Mr. Calhoun called up the ordinances described as follows, which had been read twice at the last previous meeting, and passed the second readings. Said ordinances being on their third reading, were severally passed by a unanimous vote, the yeas and nays having been called on each:

"Appropriating money to defray the expenditures of the Department of Assessments for the month of February, 1873," beginning with register of conveyances, $82 50.

"Appropriating money to defray the expenditures of the Department of Waterworks and Public Buildings for the month of February, 1873," beginning with D. Mercier, blankets, $217 50.

The resolution providing for the issue of $18,000 street improvement bonds to the Louisiana Portable Railway Company, for filling the Canal street canal.

"Providing for the payment of the several accounts therein named," beginning with Dr. J. N. Folwell, Coroner, $900. Before the passage of this ordinance, the item, Dr. Folwell, $900, was struck out for further consideration.

Reports of Committees.

Mr. Fitzenreiter, to whom was referred the memorial of Dr. White, president of the Board of Health, recommending the establishment of a hospital by the city for the reception of indigent small pox patients, reported favorably, and suggested action accordingly. The report was received.

Upon the petition of the chief engineer of the fire department of the Fifth District, asking for more fire wells in that district, Mr. Fitzenreiter, to whom the subject had been referred, reported that additional wells are needed, but as the budget contains no appropriation for the purpose, and there are no water mains in said district, the prayer of the petition can not be granted.

Mr. Turnbull, to whom had been referred the petition of importers for a wharf and landing exclusively for the vessels of the State Line Steamship Company, reported adversely, as the landing sought—the "Picayune Tier"—was already occupied by a certain class of vessels, who had a prior right thereto, and as the non-payment of taxes, even by parties seeking special privileges from the city, left the corporation unable to make any improvements. For a like reason, in relation to railroad petitions, petitions for the leasing of city property and all minor petitions, he would demand from every applicant his tax receipt before granting the favors asked. The report was received.

In regard to the petition of Mrs. Fisher, to be paid loss suffered by her for the falling of a wall on her stand in Soraparu market, Mr. Fitzenreiter reported in favor of paying her $25. Report received and recommendation adopted.

Mr. Turnbull reported favorably upon the petition of M. J. McAdam, for permission to erect a steam engine on his premises. Report received.

Upon the petition of William Bradford, to be allowed to have a refreshment stand on Canal street, at the head of the levee, Mr. Turnbull reported unfavorably. Report received.

Mr. Sturcken reported unfavorably on the petition of Mrs. A. B. Caulfield, for a change of assessment. Report received.

Upon the petition of Thomas Pearce, for a license for exhibitions, represented to be theatrical, at No. 66 St. Charles street, Mr. Brewster reported unfavorably. Report received.

On the petition of David Moore, for permission to use part of the neutral ground on St. Claude street, for a depot for brick, sand, etc., Mr. Lewis reported unfavorably. Report received.

The President, in behalf of the committee of the whole, recommended that the petition of B. Buisson, relative to public property in the faubourg Plaisance, be referred to the Administrator of Improvements. Report received and recommendation adopted.

That the petitions of J. Guillaux and L. E. Lee, to be compensated for damages alleged to have been suffered by the attack on the third precinct police station, be rejected. Report received and recommendation unanimously adopted.

That the petition of William Weiss, claiming damages alleged to have been suffered from the same cause, be rejected. Report received and recommendation unanimously adopted.

That concerning the petition of Dr. J. J. Hayes, relative to small-pox cases, no action be taken. Report received and adopted.

Resolutions and Ordinances Offered.

By Mr. Turnbull, and unanimously adopted:

Resolved, That permission is hereby granted to M. J. McAdam to erect a steam engine in the square bounded by Lafayette, Girod, Front and Delta streets, revocable at the pleasure of the City Council.

By the President, in behalf of the committee of the whole, with amendments, and, as amended, unanimously passed, as follows:

An ordinance authorizing Joseph Raymond to erect a market at the corner of Dryades and Second streets.

SECTION 1. Be it ordained by the City Council of New Orleans, That upon compliance with the terms and conditions herein set forth, permission is hereby granted to Joseph Raymond to erect a market-house at the corner of Dryades and Second streets, in the Fourth District of this city.

SEC. 2. Be it further ordained, etc., That the said market is to be built in a substantial and workmanlike manner, at a cost of not less than twenty thousand dollars, according to plans and specifications furnished by the City Surveyor, and that the cost and expenses of erecting the same, together with the materials, to be paid for by said Joseph Raymond, after the completion of which, the work to be accepted by the Administrators of Waterworks and Public Buildings and City Surveyor.

SEC. 3. Be it further ordained, etc., That the building of the market house shall be commenced as soon after the passage of this ordinance as practicable, and shall be completed within twelve months from the passage of this ordinance, and the land and building shall be free from all mortgages when completed.

SEC. 4. Be it further ordained, etc., That the owner or owners of this market shall have the privilege for ten years after completion of said market to rent the stands and stalls therein for the sale of such articles as are allowed to be sold in the public markets of this city, and during this space of ten years this property is to be exempt from all city licenses and taxes.

SEC. 5. Be it further ordained, etc., That at the expiration of the before-mentioned ten years, the city of New Orleans shall be privileged and fully empowered to farm out the collection of the revenues of this market by the month or year, or as it may be customary at the time with the city markets, as follows: That all sums received over $500 per month, if sold by the month, shall be paid into the city treasury for the benefit of the city; all sums of $500 or less, when sold by the month, shall be paid to the owner or owners of said market. When sold by the year, all sums over $6000 to be paid into the city treasury, and all sums received of $6000 or less, to be paid to the owners. This to continue for ten years, at the expiration of which time the market house and ground on which it is built, and so much of the surrounding ground as has been left open for passage around the market, shall be turned over to the city of New Orleans, and said city shall be placed in full possession of ownership of said market.

SEC. 6. Be it further ordained, etc., That this market shall always be under the supervision of the proper city officers, and be subject to such ordinances as are in force regulating the sale of meats, etc., and regulating the charges for the use of stands and stalls.

SEC. 7. Be it further ordained, etc., That at no time shall the city levy taxes on this property, and the owners do bind themselves that at no time during the twenty years that they are in possession to transfer this property to other parties without the consent of the City Council, and in no manner to alienate or divert the property from the uses for which the preceding privileges have been granted.

SEC. 8. Be it further ordained, etc., That the Mayor be authorized to sign the notarial acts that may be necessary to carry out the provisions of this ordinance.

SEC. 8. Be it further ordained, etc., That all ordinances or parts of ordinances that may conflict with this are hereby repealed.

By Mr. Sturcken, and unanimously adopted:

Resolved, That on account of a clerical error, the Administrator of Public Accounts be and he is hereby authorized to reduce the assessment for 1872, on property in square No. 329, fourth assessment district, belonging to Patrick B. O'Brien, Richard M. O'Brien and Emile J. O'Brien, from $20,000 to $2000, tax bills Nos. 641, 643 and 1742.

By Mr. Calhoun, read twice and passed second reading:

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. A. Gresham, for the following bills approved by the City Attorney: Law books, printing briefs and stationery in November, 1872, $117 50; printing briefs in December, 1872, $50.

Josiah Fisk, transferee of Dr. S. R. Chambers, for judgment for balance due the latter as city physician of the city of Jefferson, for August, 1869, $50.

Charles Lauer, P. Irwin and George W. Roper, for rent of property at the corner of St. Charles and Lafayette streets for one and one-half months, from November 14, 1872, to the close of December, 1872, at $400 per month, $600.

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 whenever there shall be money in the city treasury to the credit of the appropriate fund, for each account, and not otherwise appropriated:

James A. Gresham, for the following bills: Law books, printing briefs and stationery in January and February, 1873, approved by City Attorney, $214 50; printing petitions for fourth drainage district in the month of January, 1873, approved by City Attorney, $7 50.

James McConnell, Esq., for cash paid for printing briefs, etc., in the suit of Mrs. Gaines vs. City of New Orleans, in the Supreme Court of Louisiana, as per vouchers on file, $525 70.

John G. Fleming, alcohol torches, etc., for City Hall building, approved, $9 50.

H. M. Dibble, recorder of births, marriages and deaths, for recording the deaths which occurred in the charitable institutions of this city during the month of February, 1873, approved $94.

Charles Lauer, P. Irwin and George W. Roper, for rent of property at the corner of St. Charles and Lafayette streets, for one and a half months ending February 14, 1873, at $400 per month, $600.

New Orleans Republican Printing Company, advertising for the fourth drainage district, approved, $90.

Firemen's Charitable Association of the Fifth District (Algiers), for services rendered in the month of February, 1873, $100.

Firemen's Charitable Association of the Sixth District, for services rendered in the month of February, 1873, $366 67.

Firemen's Charitable Association of New Orleans, for services rendered in the month of February, 1873, as per contract, $11,666 67.

An ordinance to provide for the issue of duplicate certificates of appropriation to Henry Weber, transferee.

Be it ordained by the City Council of New Orleans, That the Administrator of Public Accounts be and is hereby authorized to issue to Henry Weber, transferee, duplicates of the following certificates of appropriation:

No. 10,217, dated April 3, 1872, in the name of J. F. Braun, as per ordinance No. 1439	$175 00
No. 11,315, dated April 12, 1872, in the name of F. H. Pace, as per ordinance No. 1451	11 75
No. 11,316, dated April 12, 1872, in the name of S. Royal, as per ordinance No. 1451	9 42
No. 11,317, dated April 12, 1872, in the name of Gus Lanata, as per ordinance No. 1451	9 42
No. 11,318, dated April 12, 1872, in the name of Joseph Treval, as per ordinance No. 1451	9 42
No. 11,319, dated April 12, 1872, in the name of Frank Felix, as per ordinance No. 1451	9 42
No. 11,320, dated April 12, 1872, in the name of Peter Dore, as per ordinance No. 1451	9 42
No. 11,321, dated April 12, 1872, in the name of Thomas McCormick, as per ordinance No. 1451	9 42
Total	$236 37

The original certificates being lost or stolen, as alleged by the said Weber, and due notice having been given to the public by advertisment and posters: provided, that the said Weber pay the expense of the publication of this ordinance, and further, that he furnish a bond of indemnity, with good and sufficient security, against loss to the city in the premises.

An ordinance to provide for the issue of duplicate certificates of appropriation and certificate for five-eighths excess due, alleged to be lost by Patrick McGinn.

Be it ordained by the Council of the city of New Orleans, That the Administrator of Public Accounts be and is hereby authorized to issue to Patrick McGinn, transferee, duplicate certificates of appropriation and certificate for five-eights tax excess, as described herewith, viz:

Certificate of appropriation No. 24,567, dated July 3, 1872, in the name of N. Crumhorn, for $28.

Certificate of appropriation No. 25,553, dated July 11, 1872, in the name of N. Crumhorn, for $28.

Certificate of appropriation No. 28,645, dated July 29, 1872, in the name of N. Crumhorn, for $28.

Certificate for five-eighths tax excess No. 2634, dated July 29, 1872, in the name of Patrick McGinn, for $50 48.

The said certificates, it is alleged, were lost on the tenth day of August, 1872, and have been duly advertised: provided, the said McGinn pay the expense of the publication of this ordinance; and further, that he furnish a bond of indemnity to the city against loss in the premises.

By the President, in behalf of the committee of the whole, to whom his message in relation to the financial condition of the corporation was referred:

An ordinance to provide for a further reduction of expenditures.

WHEREAS, Actual cash receipts into the city treasury from taxes, licenses and other sources are only sufficient for the payment of the interest upon the city's bonded debt, for the redemption of a part of the principal as required by law, and for such other expenditures for public service as are indispensable; and

Whereas, The limit prescribed by law to the bonded and certified debt of the city, now nearly reached, prevents the further issue of bonds and certificates of appropriation in payment for new public works and improvements; and

Whereas, The members of this Council are not willing, nor in their belief authorized, to anticipate the revenues of future years for the present benefit of the citizens whom they represent as agents; therefore,

Be it ordained by the City Council, That a committee, consisting of the Mayor and the Administrators of Improvements, Police and Waterworks and Public Buildings, be and is hereby raised, authorized and directed to inquire into and examine all contracts for public works now in progress, in order to ascertain what works can be suspended by consent of contractors and without public damage or serious danger, and to report the result of such inquiry at the next regular meeting of the Council.

Be it further ordained, etc., That the Mayor be and he is hereby authorized and required to arrange with the present contractors for a temporary suspension of contracts for lighting the streets with gas and oil, and that all works upon the streets, except the repairs of wharves and bridges, be suspended from and after the passage of this ordinance.

Mr. Turnbull moved to strike out the last section of the ordinance.

Mr. Schneider moved that the ordinance be adopted in its entirety, as reported.

Mr. Calhoun moved that the passage in the last section, "That the Mayor be and is hereby authorized and required to arrange with the present contractors for a temporary suspension of contracts for lighting the streets with gas and oil," be amended so as to read: "That the Mayor be and he is hereby authorized and required to arrange with the present contractors for lighting the streets with gas and oil, to furnish not more than one-third of the present lighting with gas and oil."

Mr. Schneider accepted the amendment and it was adopted.

Upon a motion to pass the ordinance, as amended, the yeas and nays were called and the motion prevailed, the vote being as follows:

Yeas—Brewster, Calhoun, Fitzenreiter, Schneider and Sturcken—5.

Nays—Lewis and Turnbull—2.

Mr. Lewis changed his vote from nay to yea, and then gave notice that he would move a reconsideration at the next meeting.

Petitions, etc.

The Mayor presented the undermentioned petitions, which were severally referred as stated:

From David Moore, for a lease of the site of the late De Soto schoolhouse. To the Administrator of Waterworks and Public Buildings.

From D. Nagel, relative to his bid for a contract for the treatment of indigent small-pox patients. To the Administrator of Waterworks and Public Buildings.

From merchants near markets of Second District and vendors in the Bazar Market, remonstrating against parties being allowed to have stands on the neutral ground. To the Administrator of Commerce.

From P. Power, Jr., and A. Bourges, proposing to contract for the collection of licenses from peddlers and other itinerant dealers. To the committee of the whole.

From property owners in the fourth drainage district, Third District, protesting against the policy of allowing the City Attorney to sue property holders in said drainage district, for a tax sought to be collected through the Superior Court, for a "pretended drainage." To the committee of the whole.

From Charles H. Merritt, State registrar of voters, inclosing statement of the expenses chargeable to the city for the special election of February 10, 1873. To the committee of the whole.

From Charles Dinanco, relative to a claim of his against the city growing out of the litigation of Mrs. Gaines. To the Administrator of Finance.

From Auguste Fonder, to be relieved of costs on tax bill. To the Administrator of Finance.

From E. Merle, who paid a certificate of indebtedness which came into his hands and which had been purloined from the Administrator of Public Accounts. Unanimously rejected.

From the Rev. B. Wayne, pastor of the Presbyterian Church on Napoleon avenue, to be relieved from taxation on church property. To the Administrator of Assessments.

From the Rev. George Davis, pastor of the Union Chapel, Methodist Episcopal Church, for a relief from taxation on church property. To the Administrator of Assessments.

From Mrs. Julian Rivas, for a reduction of assessment of her property. To the Administrator of Assessments.

From the trustees of the Leland University, for exemption from taxation on the property of the institution. To the Administrator of Assessments.

From Henry Stern, for damages incurred by the destruction of bridges and excavation of drainage canal on Carrollton avenue. To the Administrators of Improvements and Assessments.

From citizens recommending that the privilege of running a skiff ferry between Upperline street and Merritt's plantation be granted to J. E. Lecergne. To the Administrator of Commerce.

From the presidents of fire insurance companies, approving the suggestion of the chief engineer of the fire department of the Sixth District, that fire wells, the same as that in the Jefferson City market, be sunk throughout the district. To the Administrator of Waterworks and Public Buildings.

From D. J. Wasson and Alexander Hill, for raising a certain part of the banquettes on Carondelet and St. Joseph streets. To the Administrator of Improvements.

Unfinished Business.

On motion of Mr. Calhoun the rules were suspended to take up the ordinance levying a public school tax for 1873, and the ordinance passed by the following vote:

Yeas—Brewster, Calhoun, Fitzenreiter, Lewis, Turnbull—5.

Nays—Schneider, Sturcken—2.

The Council then adjourned.

DANIEL SCULLY, Secretary.

OFFICIAL.

Laws of the United States Passed at the Third Session of the Forty-Second Congress.

[GENERAL NATURE—No. 8.]

An act supplemental to and amendatory of an act entitled "An act to prescribe the mode of obtaining evidence in cases of contested elections," approved February nineteen, eighteen hundred and fifty-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all contested election cases the time allowed for taking testimony shall be ninety days, and the testimony shall be taken in the following order: The contestant shall take testimony during the first forty days; the returned member during the succeeding forty days; and the contestant may take testimony in rebuttal only during the remaining ten days of said period. Such testimony in rebuttal may be taken on five days' notice. Testimony may be taken at two or more places at the same time.

SEC. 2. Depositions of witnesses residing outside of the district and beyond the reach of a subpena, may be taken before any officer authorized by law to take testimony in contested election cases in the district in which the witness to be examined may reside.

SEC. 3. That the party desiring to take a deposition or depositions under the provisions of this act, or of the act to which this is an amendment, shall give the opposite party notice, in writing, of the time and place, when and where, the same will be taken, as well as of the name of the witness or witnesses to be examined, and of the name of an officer before whom the same will be taken. The notice shall be personally served upon the opposite party, or upon any agent or attorney of his authorized by him to take testimony or cross-examine witnesses in the matter of such contest, if, by the use of reasonable diligence, such personal service can be made; but if, by the use of such diligence, personal service can not be made, the service may be made by leaving a duplicate of the notice at the usual place of abode of the opposite party. The notice shall be served so as to allow the opposite party sufficient time by the usual route of travel to attend, and one day for preparation, exclusive of Sundays and the day of service. And the taking of the testimony may, if so stated in the notice, be adjourned from day to day. The notice, with the proof or acknowledgment of the service thereof, shall be attached to the depositions when completed. The party notified as aforesaid, his agent or attorney, may, if he see fit, select an officer having authority to take depositions in such cases to officiate, with the officer named in the notice, in the taking of the depositions; and if both such officers attend, the depositions shall be taken before them both, sitting together, and be certified by them both. But if only one of such officers attend, the depositions may be taken before and certified by him alone. It shall be competent before the parties, their agents, or attorneys authorized to act in the premises, by consent in writing, to take depositions without notice; and it shall also be competent for them, by such written consent, to take depositions (whether upon or without notice) before any officer or officers authorized to take depositions in common law, or civil actions, or in chancery, by either the laws of the United States or of the State in which the same may be taken, and to waive proof of the official character of such officer or officers. Any written consent given as aforesaid shall be returned with the depositions; and every such officer so chosen by the parties, their agents or attorneys, and officiating, shall have all the powers in the premises that are conferred by the act to which this is an amendment upon the officers named therein. At the taking of any deposition under this act, or the act to which this is an amendment, either party may appear and act in person, or by agent or attorney.

SEC. 4. All officers taking testimony to be used in a contested election case, whether by deposition or otherwise, shall, when the taking of the same is completed, and without unnecessary delay, certify the same, and carefully seal and immediately forward the same, by mail, addressed to the Clerk of the House of Representatives of the United States, Washington, D. C., and shall also indorse upon the envelope containing such deposition or testimony the name of the case in which it is taken, together with the name of the party in whose behalf it is taken, and shall subscribe such indorsement. Upon the written request of either party, the Clerk of the House of Representatives shall open any deposition at any time after he shall have received the same, and he may furnish either party with a copy thereof.

Approved January 10, 1873.

[GENERAL NATURE—No. 15.]

An act establishing post routes in the State of Maine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads:

Maine: From East Baldwin, via North Baldwin, Sebago and South Bridgeton to Bridgeton; from Gray Depot to Gray Corner, in the county of Cumberland.

Approved January 23, 1873.

[GENERAL NATURE—No. 12.]

An act to fix the compensation of gangers and measurers at the port of Boston.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the compensation of gangers and measurers at the port of Boston shall be same as provided for the same class of officers at the port of New York under existing laws.

Approved January 17, 1873.

[GENERAL NATURE—No. 2.]

An act authorizing the construction of railroad bridges across the Mobile river and other navigable streams tributary to Mobile bay, in accordance with the acts of the Legislature of the State of Alabama, and to establish them as post-roads.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress be, and the same is hereby, given to the Mobile and Montgomery Railroad Company to erect one or more draw-bridges over the Mobile river and other navigable streams tributary to Mobile bay, in accordance with the acts of the Legislature of Alabama incorporating said company; provided, that the said draw-bridges shall be so constructed as not to interfere with the free or to materially or substantially obstruct the free navigation of said streams, beyond what is necessary in order to carry into effect the rights and privileges hereby granted; and in case of any litigation arising from any obstruction or alleged obstruction, to the free navigation of said river, the cause may be tried before the district court of the United States of the State of Alabama in which any portion of said obstruction or bridges touches; and provided also, that said draw-bridges shall be opened promptly, upon reasonable signal, for the passage of boats, and in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains.

SEC. 2. That any bridge constructed under this act, and according to its limitations, shall be a lawful structure, and shall be known and recognized as a post route, upon which, also, no higher charge shall be made for the transmission over the same of the mails, the troops and the munitions of war of the United States than the rate per mile paid for the transportation over the railroads or public highways leading to said bridges.

SEC. 3. That all railway companies desiring to use said bridges shall have and be entitled to equal rights and privileges in the passage of the same, and in the use of the machinery and fixtures thereof, and of all the approaches thereto, under and upon such terms and conditions as shall be prescribed by the Secretary of War, upon hearing the allegations and proofs of the parties in case they shall not agree.

SEC. 4. That the right to alter or amend this act so as to prevent or remove all material obstructions to the navigation of said river by the construction of bridges is hereby expressly reserved; and that any bridge or bridges constructed under this act shall be built under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe; and the said bridges shall be, at all times, so kept and managed as to offer reasonable and proper means for the passage of vessels through and under them; and the said bridges shall be changed, at the cost and expense of the owners thereof, from time to time, as Congress may direct, so as to preserve the free and convenient navigation of said river; and the authority to erect and continue said bridges shall be subject to revocation by law whenever the public good shall, in the judgment of Congress, so require.

Approved December 24, 1872.

[GENERAL NATURE—No. 14.]

An act regulating the compensation of the members and officers of the legislative assemblies of the several Territories of the United States, and limiting the duration of the sessions of said assemblies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sessions of the legislative assemblies of the several Territories of the United States shall be limited to forty days' duration.

SEC. 2. That the members of each branch of said legislatures shall receive a compensation of six dollars per day during the session herein provided for, and they shall receive such mileage as now provided by law; provided, that the president of the council and the speaker of the house of representatives shall each receive a compensation of ten dollars per day, and that the additional officers of each branch of said legislative assemblies shall consist of one chief clerk, who shall receive a compensation of eight dollars per day, and of one assistant clerk, one enrolling clerk, one engrossing clerk, one sergeant-at-arms, one doorkeeper, one messenger and one watchman, who shall each receive a compensation of five dollars per day during the sessions.

SEC. 3. That from and after the first day of July, eighteen hundred and seventy-three, the annual salaries of the governors of the several Territories of the United States shall be three thousand five hundred dollars, and the salaries of the secretaries of said Territories shall be two thousand five hundred dollars each.

SEC. 4. That the provisions of this act shall not apply to the District of Columbia; provided, that no law of any territorial legislature shall be made or enforced by which any officer of a Territory herein provided for, or the officers or members of any territorial legislature, shall be paid any compensation other than that provided by the laws of the United States.

Approved January 23, 1873.

[GENERAL NATURE—No. 16.]

An act to amend an act entitled "An act to amend the fifth section of an act entitled 'an act donating public lands to the several States and Territories, which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July second, eighteen hundred and sixty-two, so as to extend the time within which the provisions of said act shall be accepted and such colleges established," approved July twenty-third, eighteen hundred and sixty-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time within which the several States may comply with the provisions of the act of July twenty-third, eighteen hundred and sixty-six, entitled "an act to amend the fifth section of an act entitled 'an act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July second, eighteen hundred and sixty-two, so as to extend the time within which the provisions of said act shall be accepted and such colleges established," is hereby extended so that the States which have not complied with the provisions of said acts in establishing colleges shall have the period of two years, after the first day of July, eighteen hundred and seventy-two, within which to provide at least one college, as described in the fourth section of an act entitled "an act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July second, eighteen hundred and sixty-two.

Approved January 23, 1873.

[GENERAL NATURE—No. 17.]

An act to amend an act entitled "an act to incorporate a national military and naval asylum for the relief of the totally disabled officers and men of the volunteer forces of the United States," approved March twenty-one, eighteen hundred and sixty-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said act be so amended that wherever the word "asylum" occurs therein, the word "home" shall be inserted instead thereof.

SEC. 2. That the act approved March twenty-second, eighteen hundred and sixty-seven, entitled "an act for the relief of maimed and destitute soldiers," shall be construed to extend to all soldiers who have been or are in the national asylum, so as to give to each one suit of clothing, or its equivalent in clothing, from the stock on hand in the Quartermaster's Department; and that Frederick Smythe, of New Hampshire, Benjamin F. Butler, of Massachusetts, and Thomas O. Osborn, of Illinois, shall be managers of said corporation.

Approved January 23, 1873.

[GENERAL NATURE—No. 18.]

An act to abolish the grades of admiral and vice admiral in the navy of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That vacancies occurring in the grades of admiral and vice admiral in the navy of the United States shall not be filled by promotion, or in any manner whatever; and that when the offices of said grades shall become vacant, the grade itself shall cease to exist.

Approved January 23, 1873.

[GENERAL NATURE—No. 19.]

An act transferring the control of certain territorial penitentiaries to the several Territories in which the same are located.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act entitled "an act in relation to certain territorial penitentiaries," approved January tenth, eighteen hundred and seventy-one, placing the penitentiaries in the Territories of Montana, Idaho, Wyoming and Colorado under the care and control of the respective United States marshals for said Territories, is hereby repealed, and the care and custody of said penitentiaries, and the personal property thereunto belonging, and the use and occupation thereof, are hereby transferred to said Territories, respectively, and otherwise vested as the Attorney General: provided, that the legal title to said penitentiaries and property shall continue to vest in the United States; and provided further, that said Territories shall keep and maintain, in the penitentiaries hereby transferred to their custody and control, all persons convicted in said respective Territories of violations of the laws of the United States, and sentenced to imprisonment therefor, and all persons held to answer for alleged violations of the laws of the United States in said respective Territories, at the rate and price, to be paid by the United States out of the judiciary fund, of one dollar per day for each person so imprisoned.

SEC. 2. That immediately after the passage of this act the Attorney General of the United States shall cause to be transferred to the proper authorities of the Territories of Montana, Idaho, Wyoming and Colorado the penitentiaries and personal property connected therewith, situated in each of said Territories respectively.

Approved January 24, 1873.

[GENERAL NATURE—No. 1.]

An act to authorize the construction of bridges across the Ohio river, and to prescribe the dimensions of the same.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any persons or corporations, having lawful authority therefor, may hereafter erect bridges across the Ohio river, for railroad or other uses, upon compliance with the provisions and requirements of this act.

SEC. 2. That every bridge hereafter erected across the Ohio river, above the mouth of the Big Sandy, shall have at least one span of a height of not less than ninety feet above low water, and of not less than forty feet above local highest water, measured to the bottom chord of the bridge; that every bridge hereafter erected across the Ohio river below the mouth of the Big Sandy, shall have at least one span of a height of not less than one hundred feet above low water, and of not less than forty feet above highest water, measured to the bottom chord of the bridge; that this high span shall give a clear opening of at least four hundred feet between the piers, measured at right angles to the current at every stage, and that it shall be placed over the main channel of the river used by boats during ordinary stages of water; provided, however, that any one company, lawfully authorized by the States of West Virginia and Ohio, is hereby authorized to construct a bridge across the Ohio river, from the city of Wheeling, in the State of West Virginia, to the opposite side of said river within the State of Ohio, with a span over the main channel of not less than three hundred and fifty feet in length, and in all other respects conformable and subject to the provisions of this act, so far as the same are applicable to bridges about the mouth of the Big Sandy; and provided, that in case this high span is not over the low-water channel, suitable arrangements be made elsewhere to permit the passage of single boats under the bridge at low water; that all bridges over the Ohio river below the Covington and Cincinnati suspension bridge, shall have, in addition to the high span prescribed above, a pivot-draw, giving two clear openings of one hundred and sixty feet each, measured at right angles to the current at the average stage of water in the river, and located in a part of the bridge that can be safely and conveniently reached at that stage, and that said draw shall be opened promptly, upon reasonable signal, for the passage of boats whose construction shall not be such as to admit of their passage under the stationary spans of said bridge, except when trains are passing over the same; but in no case shall unnecessary delay occur in opening the said draw before or after the passage of trains.

SEC. 3. That the piers of the high span and the piers of the draw shall be built parallel with the current at that stage of the river which is most important for navigation; and that no riprap or other outside protection for imperfect foundation will be permitted in the channel-way of the high span, or of the draw openings.

SEC. 4. That any person, company, or corporation authorized to construct a bridge across the Ohio river shall give notice, by publication for one week in newspapers having a wide circulation, in not less than two newspapers in the cities of Pittsburg, Cincinnati, and Louisville, for bridges above the mouth of the Big Sandy, and in the cities of Pittsburg, Cincinnati, Louisville, St. Louis, Memphis, and New Orleans, for bridges below the mouth of the Big Sandy, and shall submit to the Secretary of War, for his examination, a design and drawings of the bridge and piers, and a map of the location, giving, for the space of at least one mile above and one mile below the proposed location, the topography of the banks of the river, the shore lines at high and low water, the direction of the current at all stages, and the soundings accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject by the Secretary of War; and if the Secretary of War is satisfied that the provisions of the law have been complied with in regard to location, the building of the piers may be at once commenced; but if it shall appear that the conditions prescribed by this act can not be complied with at the location where it is desired to construct the bridge, the Secretary of War shall, after considering any remonstrances filed against the building of said bridge, and furnishing copies of such remonstrances to the board of engineers provided for in this act, detail a board composed of three experienced officers of the corps of engineers, to examine the case, and may, on their recommendation, authorize such modifications in the requirements of this act, as to location and piers, as will permit the construction of the bridge; not, however, diminishing the width of the spans contemplated by this act; provided, that the free navigation of the river be not materially injured thereby.

SEC. 5. That all parties owning, occupying or operating bridges over the Ohio river shall maintain, at their own expense, from sunset to sunrise throughout the year, such lights on their bridges as may be required by the lighthouse board for the security of navigation; and all persons owning, occupying or operating any bridge over the Ohio river shall, in any event, maintain all lights on their bridge that may be necessary for the security of navigation.

SEC. 6. That any bridge constructed under this act, according to its limitations, shall be a lawful structure, and shall be recognized and known as a post route, upon which, also, no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for the transportation over the railroads or public highways leading to said bridge; and the United States shall have the right of way for postal telegraph purposes across any such bridge; and in case of any litigation arising from any obstruction or alleged obstruction to the navigation of said river, created by the construction of any bridge under this act, the cause or question arising may be tried before the district court of the United States of any State in which any portion of said obstruction or bridge touches.

SEC. 7. That the right to alter or amend this act, so as to prevent or remove at material obstructions to the navigation of said river by the future construction of bridges, is hereby expressly reserved, without any liability of the government for damages on account of the alteration or amendment of this act, or on account of the prevention or requiring the removal of any such obstructions; and if any change be made in the plan of construction of any bridge constructed under this act, during the progress of the work thereon or before the completion of said bridge, such change shall be subject to the approval of the Secretary of War; and any change in the construction, or any alteration of any such bridge that may be directed at any time by Congress, shall be made at the cost and expense of the owners thereof.

SEC. 8. That joint resolution number ten, approved April seventh, eighteen hundred and sixty-nine, authorizing the construction of a bridge over the Ohio river at Paducah, be, and the same hereby is, repealed.

SEC. 9. That the provisions of an act entitled "An act to provide for the letter security of life on vessels propelled in whole or in part by steam," etc., approved February twenty-eighth, eighteen hundred and seventy-one, so far as they relate to the limitation of steam pressure of steam boats used exclusively for towing and carrying freight on the Mississippi river and its tributaries, are hereby so far modified as to constitute for such boats one hundred and fifty pounds of steam pressure in place of one hundred and ten pounds, as provided in said act for the standard pressure upon standard boilers of forty-two inches diameter, and of plates of one-quarter of an inch in thickness; and such boats may, on the written permit of the supervising inspector of the district in which such boats shall carry on their business for a period of twelve months from and after the passage of this act, be permitted to carry steam above the standard pressure of one hundred and ten pounds, but not exceeding the standard pressure of one hundred and fifty pounds to the square inch.

J. G. BLAINE,
Speaker of the House of Representatives.
SCHUYLER COLFAX,
Vice President of the United States and President of the Senate.

Approved, December 17, 1872.
U. S. GRANT.

[RESOLUTION OF GENERAL NATURE—No. 1.]

Joint resolution tendering the thanks of Congress to Captain David Ritchie, commanding the revenue steamer Moccasin, and the officers and men under his command.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress are due and are hereby tendered to Captain David Ritchie, commanding the revenue steamer Moccasin, and to the officers and men under his command, for their heroic and humane action in saving the lives of forty-two human beings, and rescuing seventeen dead bodies from the wreck of the steamer Metis, on the waters of Long Island sound, on the morning of the thirty-first of August, eighteen hundred and seventy-two.

Approved January 24, 1873.

[GENERAL NATURE—No. 22.]

An act to abolish the franking privilege.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the franking privilege be, and the same hereby is, abolished from and after the first day of July, anno Domini eighteen hundred and seventy-three, and that thenceforth all official correspondence, of whatever nature, and other mailable matter sent from or addressed to any officer of the government or person now authorized to frank such matter, shall be chargeable with the same rates of postage as may be lawfully imposed upon like matter sent by or addressed to other persons; provided, that no compensation or allowance shall now or hereafter be made to Senators, members and delegates of the House of Representatives on account of postage.

Approved January 31, 1873.

[GENERAL NATURE—No. 23.]

An act making an appropriation to defray the expenses of the American and British Claims Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred and thirteen thousand five hundred dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to supply a deficiency in the appropriation for the fiscal year ending June thirty, eighteen hundred and seventy-three, to defray the expenses on the part of the United States of the mixed commission on American and British claims, appointed under the twelfth article of the treaty between the United States and Great Britain, signed May eighth, eighteen hundred and seventy-one.

SEC. 2. For payment of contracts for stone work, and other employes, on the postoffice and courthouse in New York city, five hundred thousand dollars.

Approved February 5