

CITY COUNCIL--OFFICIAL.

REGULAR MEETING.

CITY HALL, NEW ORLEANS, Tuesday, August 14, 1877. The Council met this day at 10 o'clock in its regular session.

Present: Hon. Ed. Fishbury, Mayor, President, and Administrators Brown, Cavanaugh, Denis, Diamond, McCaffrey and Renssleroff.

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

Communications from the Mayor and Administrators.

The Mayor laid before the Council applications for leave of absence from the following named employes:

J. H. Grover, Assistant City Attorney, from August 15th to October 25th.

A. J. Bacon, Assistant Secretary City Council, from August 15th to September 1st.

John Glynn, Jr., superintendent second section, for three weeks, ending September 15th.

H. P. Phillips, Chief Engineer Sixth District, one month, ending September 15th.

The requests of the applicants were unanimously granted.

Financial Business on Final Passage.

Mr. Brown called up the following ordinance, which having been read twice was now on its third reading, and it passed unanimously, the yeas and nays having been called:

"An ordinance providing for the payment of the several accounts therein named," beginning "D. B. Penn, Register of Conveyances," and amounting to \$6534 44.

Reports of Committees.

Mr. Edwards reported that bids were received for repairing the Supreme Court room from C. Bernard & Montagnet for \$2385, and John Page \$1900.

The latter being the lowest it was recommended for acceptance.

Mr. Cavanaugh reported favorably by resolutions on the petitions of (1) G. Gragnard, for permission to erect a steam engine at No. 73 Decatur street; (2) Howard & Wier, for permission to erect a steam engine at No. 223 Front street.

Mr. Edwards reported favorably by resolution on the petition of the Board of Commissioners of the Charitable Association, Seventh District, for the erection of an alarm bell and tower.

Mr. Denis reported favorably on the petition of Mrs. Mary Todd for the cancellation of a tax bill, recommending that said tax bill be canceled. Report adopted unanimously.

The following report of the special committee appointed to investigate the charges made by Mr. James Sweeney was read:

NEW ORLEANS, August 14, 1877. To the City Council:

Your committee appointed under a resolution offered by the Administrator of Commerce, and adopted July 24, 1877, directed an investigation of the accounts of the wharfinger in and for the Sixth District, from January 1 to June 30, 1877, be leave to submit the following report:

That after a careful examination of the said wharfinger's returns, a statement of which is hereto annexed, and on comparison of same with the statements appearing in Mr. Sweeney's card, we find his account correct in all particulars to have been turned into the city treasury. Respectfully, etc.

J. G. BROWN, Administrator of Public Accounts.

ROBT. E. DIAMOND, Administrator of Police.

JAMES D. EDWARDS, Administrator Waterworks and Public Buildings.

STATEMENT. Total returns from January 1 to June 30, 1877, as per report in Department of Public Accounts: Coal boats and barges, \$1,143 00; Schooners, rafts, flats, cords, etc., \$1,765 50; Less bills in course of collection, 36 00; Less bills in course of collection, 329 00--\$685 00

Paid Administrator Finance, receiving warrant No. 114, \$153 65; Paid Administrator Finance, receiving warrant No. 208, 207 77; Paid Administrator Finance, receiving warrant No. 328, 143 69; Paid Administrator Finance, receiving warrant No. 440, 174 00; Paid Administrator Finance, receiving warrant No. 558, 202 40; Paid Administrator Finance, receiving warrant No. 746, 402 08; Paid Administrator Finance, receiving warrant No. 842, 27 00

In connection with the above, Mr. Cavanaugh offered the following resolution, which was unanimously adopted:

"Be it resolved, That that portion of the wharfinger's affairs for 1876, as appeared in Mr. F. Sweeney's card, be referred to the Administrator of Public Accounts, with instructions to report."

The following report of the City Surveyor was read:

NEW ORLEANS, August 14, 1877. Hon. Ed. Fishbury, Mayor:

"Be it resolved, That that portion of the wharfinger's affairs for 1876, as appeared in Mr. F. Sweeney's card, be referred to the Administrator of Public Accounts, with instructions to report."

By an act passed on the 23d of February, 1830, before Felix de la Riviere, notary public, Bernard Marigny sold to Martin Durand, President of the Pontchartrain Railroad Company, all his rights (with no guarantee) into that portion of ground forming the centre of Elysian Fields street, and known as Marigny's Addition, measuring 33 feet 3 inches 4 lines in width, extending in depth from the river to the rear limit of his property; also, the canal leading from Elysian Fields to Bayou St. John.

By resolution of the Council of the city of New Orleans, approved March 15, 1830, the privilege was granted to the Pontchartrain Railroad Company to occupy the eastern sidewalk bordering the 33 feet 3 inches 4 lines sold by B. Marigny, and the eastern side of the canal, but in granting said privilege, the ordinance stipulated very plainly that the company should in no manner impede circulation of the public in the crossings of streets.

Some twenty years ago all the crossings of that strip of land in the centre of Elysian Fields street, from the Levee to Goodchildren street, and later, those from Goodchildren to Claiborne street, were made with curb and gutters, and brick sidewalks, one-third the cost being paid by the whole cost of intersections were paid by the city.

During the period of about forty years Elysian Fields street was used by some of the Pontchartrain Railroad, but at seven o'clock on the morning of August 15, 1877, the Pontchartrain Railroad constructed their track on the eastern sidewalk bordering the public upon which the Pontchartrain Railroad had constructed there, with the permission of the Council, for the term of their contract, which permission had just expired and not renewed. Up to the present the intersections were kept in tolerably good condition, but lately the Pontchartrain Railroad has constructed two new tracks from Victory to Dauphin street, and one from Dauphin to some point beyond Claiborne street, and by so doing has entirely destroyed all the intersections which it ought to cover ten feet, the sidewalks being ten feet in width. In many places rough road paving stones have been put in place of brick work.

For some days past some one has been erecting in the centre of Elysian Fields street, near Dauphin street, a certain obstruction, being a stone ten feet in diameter, in which I suppose will be put a cylinder, forming a great obstruction to the street.

I will remark that Mr. Marigny, in selling the same except from the nuisance wharves established at the benefit of the public, provided, that parties engaged in the manufacture of commercial fertilizers may receive and use such fertilizers by special permit and under the regulations prescribed by the Board of Health, for the abatement of nuisances or orders issued for the abatement of nuisances, the Board of Health will cause inspection to be made after the expiration of the time allowed for compliance with the order until satisfactory compliance shall have been made.

Resolved, That all ordinances or parts of ordinances conflicting with this ordinance be and are hereby repealed.

Adopted by the Council of the city of New Orleans, August 7, 1877. Yeas--Brown, Cavanaugh, Denis, Diamond, Edwards, McCaffrey, Renssleroff, Mayor.

A true copy: THOS. G. RAPIER, Secretary. SAM. O'HOPPIN, M. D., President Board of Health.

JUDICIAL ADVERTISEMENTS.

By Nash & Hodgson. NEAT COTTAGE HOUSE, WITH SQUARE OF GROUND, Corner of Valmont and St. Denis streets. SUCCESSION OF MRS. AUGUSTA JUST, Widow of Dietrich Mahnkens. Second District Court for the parish of Orleans--No. 39,486.

BY NASH AND HODGSON--W. I. Hodgson, Auctioneer, office No. 13 Carondelet street--On SATURDAY, September 1, 1877, at 12 o'clock m., at the St. Charles Auction Exchange, in the basement rooms of the St. Charles Hotel, in this city, by virtue and in pursuance of an order of the Hon. A. L. Tissot, Judge of the Second District Court for the parish of Orleans, dated July 27, 1877, do hereby give notice that at public auction will be sold--

A CERTAIN SQUARE OF GROUND, together with all the buildings and improvements thereon, situated in the Sixth District of this city, designated as No. 76, bounded by St. Denis, St. Patrick, Dulac and Valmont streets, (subdivided into eleven lots) and measuring together about 142 feet 4 inches 3 lines front on St. Denis street, 111 feet 4 inches 3 lines front on St. Patrick street, 111 feet 4 inches 3 lines front on Valmont street, all more or less, American measure, according to a plan of places of sale.

A FRAME COTTAGE HOUSE, eastern sheds, etc., garden improved and fenced. Terms--Cash on the spot.

Act of sale before Joseph Cohn, notary, at the expense of the purchaser, including the taxes due and eligible in 1878.

FOUR BRICK COTTAGES, CORNER ORANGE AND HELIGUOUS STREETS. SUCCESSION OF FRANK AHERN. Second District Court for the parish of Orleans--No. 39,566.

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TWO VALUABLE LOTS OF GROUND, together with all the buildings and improvements thereon, situated in the First District of this city, in the square bounded by Religious, Fulton (late St. Thomas), Orange and Race streets, designated as lots Nos. 3 and 4, which adjoin each other and measure as follows, to-wit: Lot No. 4 measures 87 feet 3 inches 5 lines front on Orange street by a depth and front on Religious street of 123 feet 3 inches 5 lines, and a depth of 30 feet 9 inches front on Orange street by a depth of 169 feet 3 inches front, all more or less, American measure. The improvements consist of four brick cottages, with two trees each.

Terms--Cash in U. S. Treasury notes. Act of sale before W. B. Klotz, notary, at the expense of the purchaser, including the taxes due and eligible in 1878.

NEAT COTTAGE HOUSE, NO. 573 DRYADES STREET. IN THE MATTER OF THE MINOR JOSEPH F. KENDALL. Second District Court for the parish of Orleans--No. 39,376.

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ONE PIECE OF PORTION OF GROUND, together with the buildings and improvements thereon, situated in the Fourth District of this city, in the square bounded by Dryades, Barrage, Jackson and Philip streets, measuring 30 feet 9 inches front on Dryades street by a depth of 123 feet 3 inches, all more or less, between parallel lines, American measure. Being that portion of a lot of ground nearest Philip street, originally designated as Lot No. 2.

TERMS AND CONDITIONS--One-half cash and the balance at one month, with 5 per cent interest, and special mortgage, with vendor's privilege from date until final payment, the mortgage to embrace the clause of 5 per cent interest on the face in case of suit, the buildings to be kept fully insured and policy transferred to a policy to be paid cash on the spot. Act of sale before W. H. Seymour, notary public, at the expense of the purchaser, including the taxes due and eligible in 1878.

THE IMPROVEMENTS, CONSISTING OF ONE-STORY FRAME SLATE ROOF COTTAGE, known as No. 573 Dryades street, with two-story building, containing altogether about seven rooms, cistern, etc.

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