

MUNICIPAL MATTERS.

THE LOSS CAUSED TO THE CITY BY THE ACT NO. 74 OF 1858.

How the Affairs of the City have been Conducted in the Past in Several Respects.

We have already given our readers a synopsis of that extraordinary piece of legislation known as act No. 74 of the session of 1858, by which certain canal and railroad privileges, judicial functions and tax exemptions were extended to the New Orleans Canal and Navigation Company, without any quid pro quo being reserved to the State or city.

The subject, as will appear further on, being such an interesting one, that to-day we give act No. 74 an act relative to the CARONDELLET CANAL AND NAVIGATION COMPANY OF NEW ORLEANS.

It is enacted, etc. That the Carondelet Canal and Navigation Company of New Orleans shall have the right to construct lay-outs, basins and half-moors for floating any other water craft at any point they may deem convenient on the Bayou St. John, the basin and Canal Carondelet and to extend the said lay-outs, basins and half-moors on any part or portion of the road, streets or neutral grounds through which run their said water craft, provided that they do not interfere with the public with the roads required by law along and around said lay-outs, basins and half-moors and which are existing at the time of such extension, and keep the same subject to the ordinances of the Common Council of New Orleans.

Sec. 2. That the said company shall have the right to construct a railroad with single or double tracks on either side of their basin (and) the Bayou St. John from the head of said basin on Front street to the Lake Land, with the privilege of passing through any and every property and lands as may be needed, upon due compensation made to the owners thereof, in conformity with existing laws; and they shall be authorized to transport on said road freight and passengers, and to run on said road any and every steam locomotive on said road within such limits of the city as the Common Council of the city of New Orleans may prescribe, and that the said road shall be subject to such general police regulations as may be or may hereafter be adopted by said Council.

Sec. 3. That after the expiration of five years from the passage of this act, the city corporation shall be prohibited from draining into Bayou St. John, or into any other water body, any water from any of the streets of the city, or from any other source, until the junction with the Bayou St. John, was closed in consequence of the enforcement of act No. 74 of 1858. The result is that whenever a heavy rain falls over the city for several hours the streets are flooded and great inconvenience is experienced by the people living in the vicinity, and when the waters of the lake are backed up by a storm the inundation becomes more pronounced in that part of the city lying between the Bayou St. John and the Canal Carondelet street than it would otherwise.

Another serious damage caused by the closing of the Bayou St. John to the city has been the periodical inundation of the triangle comprised between the tail race of the Bienville Draining Machine, Metairie Ridge and Bayou St. John, and compelled the city to build a levee along the western shore of the bayou.

There are other items which might be included in the crimes caused by the closing of the bayou as a drainage outlet, but we think that the above will suffice to show the result of act No. 74. And yet we find that in the early part of February last the City Surveyor applied to the Mayor for a license to allow the laying of a couple of drainage pipes on Esplanade street, leading into the Bayou St. John, to relieve from the fluvial waters the grounds of the Louisiana Jockey Club, of Delibouert and others. The Mayor has not only refused to grant the license, but has also refused to issue a license to the company for the purpose of laying a couple of drainage pipes on Esplanade street, leading into the Bayou St. John, to relieve from the fluvial waters the grounds of the Louisiana Jockey Club, of Delibouert and others.

Sec. 4. That the directors of the company shall have the right to impose fines not exceeding fifty dollars for each and every default or violation of any ordinance or regulation of the city of New Orleans, which shall be enforceable before any court of competent jurisdiction.

Sec. 5. That a majority of two-thirds of the board of directors, with the consent of two-thirds of the stockholders, shall have power to sell, lease, mortgage, or otherwise dispose of any real or personal property of the company, provided that the proceeds of such sale, lease, mortgage, or other disposition shall be applied to the payment of the principal and interest on the bonds then outstanding, and to the redemption of the same.

Sec. 6. That the directors of the company shall have the right to issue bonds to the amount of \$2,000,000, and to sell, lease, mortgage, or otherwise dispose of any real or personal property of the company, provided that the proceeds of such sale, lease, mortgage, or other disposition shall be applied to the payment of the principal and interest on the bonds then outstanding, and to the redemption of the same.

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THE PILOT INVESTIGATION.

TESTIMONY OF CAPT. KING, WHO FOUND SEVENTEEN FEET OF WATER IN THE JETTIES.

And That was When His Ship Went Aground Drawing Nineteen Feet Eleven Inches Aft.

The Board of Portwardens met yesterday at the executive office. Present: Wm. M. Hunter, Master Warden, presiding, and Capt. Thos. Conway, Jas. F. Lyons and Jonas F. Geradorf, the last three named being of the pilots' commission. As the pilots' commission had not been present

at the previous meetings the testimony given by Capt. King, of the steamship Teutonia, given on the day previous, was read for their information. In substance the testimony was to the effect that his ship left here on May 6, 1877, and arrived at the jetty on the same day at 2 p. m., and anchored there, the ship at the time drawing 19 feet 11 inches aft and 19 feet 7 inches forward. Pilot Wilson came on board Thursday, the 6th inst., when he was asked by the witness about the depth of water on the jetty bar. He answered by inquiring the draft of the vessel, and upon being told said there would be enough water

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THE COURTS.

Second District Court. Succession of Henry Humberger opened. Succession of Edna Laurite, deceased wife of John Paul Laurite, opened.

Third District Court. F. M. Danney has brought suit asking a mandamus to compel the city to issue certain Metropolitan Police Warrants, amounting to the sum of \$37,442 88. Some two-hundred ex-metropolitans have brought a similar suit against the city for the issuing of warrants amounting to the sum of \$18,918 88.

Fourth District Court. Mrs. Frances Maxwell, administrator, vs. city of New Orleans. Suit for \$2,350 50, amount due her deceased husband for July 1876, as employer, from September 1, 1871, till January 6, 1874.

City Editors. A charge of breach of trust and embezzlement has been filed against Alex. Mitchell a prisoner in the Third Station. A. W. Dates caused the arrest and incarceration of J. Herrington, on a charge of petty larceny.

Last Wednesday night thieves attempted to burglarize Dr. Dyer's residence, in Algiers, but were unsuccessful. Mary Coffey is in the Third Precinct and Henry Brown is in the Central Station, both of them charged with larceny.