THE NEW ORLEANS ITEM

PUBLISHED EVERY WEEK-DAY EVENING AND SUNDAY MORNING
BY ITEM COMPANY, LIMITED.
JAMES M. THOMSON, PUBLISHER.

ESTABLISHED JUNE 11, 1877.

ENTERED AT THE POSTOFFICE, NEW ORLEANS, AS SECOND-CLASS MATTER.

OFFICIAL JOURNAL OF THE CITY OF NEW ORLEANS.

Daily average May, 1907, 27,021; June, 28,466; July, 28,807.
Daily average year 1906, 25,423.

TELEPHONES—Business Office, Main 1089; Editorial Rooms, Main 1351.

Volume XXXI. Number 59.

PATRIOTIC AND VALUABLE.

A new school house every year from the poll tax payment New Orleans! This is the slogan of the New Orleans Poll ax Association, an organization, by the way, which is prob- ly doing as much practical good for this city as any asso- tion in it. If your poll tax is not paid you cannot vote, d if you cannot vote you have not the full privileges of an erican citizen.

We are not going into an argument as to why it was found ecessary to disfranchise a number of people in the South. a matter of fact ,a limited number of voters, if it contains highest class of voters in the city, is the best kind of an ectorate.

The simple question for your consideration, fellow-citizens, o read this paper, is whether you belong to the higher ss of citizenship and whether you believe it is worth while pay a dollar a year for the privilege of taking part in the irs of your city. When we speak of a high class of electo- we do not mean a wealthy electorate ,or one that holds at property or leading positions professionally or ally.

n our observation of and experience with the latter class have found cases of woeful ignorance of public affairs, lack of interest in them, selfish desire to advance the erests of class, lack of confidence in, the intelligence integrity of their fellow-citizens in the humbler walks of Likewise, further down the scale, there are many people take a bitter, a selfish, an envious and a prejudiced of others. Many put more malice than patriotism into ballot box along with their vote. Again, there are many feel doubtful as to whether things will be improved and to whether society will be better off if they do vote. When have wished to register a protest against existing con- ons they have felt that their opposition was crushed out the power of a machine with all its great advantage in ization.

homas Jefferson believed in the people, and Abraham Lin- believed in the people. Nearly every great statesman come to have confidence in the people's united judgment. vidually those who make up the people are helpless, col- ively they can do what they please, but unless your poll is paid, unless you are registered, so that you can vote, r public activity, your influence as a man in the com- nity, is wasted. Your birthright of American citi- ship has been lost, because you would not spend a dollar nsure your right to vote. You have only yourself to blame your poll tax is not paid and if you fail to vote.

The Item wishes the gentlemen of the Poll Tax Associa- n God-speed in their work. It is a patriotic work, a valu- e work ,an unselfish work. Fortunately the money which citizens pay for poll taxes goes directly to an educational nd. It will go to build school houses in which to educate the ildren of the voters, and the public school is the hope of e American for the future ,just as the independent ,thought- l, intelligent vote of the citizen is the hope of America -day.

A VERY SOUND DECISION.

The Supreme Court of Louisiana has refused to grant a rit of mandamus by means of which the attorney for Mor- is or Mehojevich, sentenced to death by a jury, wished to ompel another hearing of his client's case by the State oard of Pardons.

In its decision—an eminently proper one—the Supreme ourt stated that as it belonged to the judiciary department the State while the Board of Pardons was connected with e executive branch ,it had no authority over the Board in y matter of this kind.

The point thus made is one which stands to reason in a fashion so clear, so unmistakeable as to make us wonder that y attorney should have ignored or chosen to ignore it.

Our opinion on the question of pardons—except in the se of newly discovered evidence of the greatest importance has been expressed in these columns before this and does t call for re-expression.

But we will say that we look on the Supreme Court deci- n under discussion with particular satisfaction because it ist be considered as an emphatic rebuke to those practi- ners at the bar who seek in the pursuit of technicalities, d technicalities only, respite from and defeasance of the ds of justice.

The question of the hour: Why is a levee?

Burning the ballots prematurely did not tend to "cool off ings" in Mississippi.

An exchange infers that the difference between the "un- itten law" and the written code is that the first is regu- rly enforced.

If a street car spitter were to be fined $29,242,000 by Judge ogarty, the remainder of the tribe would shrug its shoulders d spit again. The only effective remedy is to plug their ouths.

If it is true, as claimed by Dr. Bigger, that John Dough ockefeller has been born a second time, it's a cinch Judge andis has given John a spell of cholera infantum in his sec- nd childhood.

Too bad, but there seems to be no way of keeping the big American fleet on this side of the continent, and Castro of Venezuela is apt at any time to remember this threat to bom- ard Spanish Fort!

Still, the bombarding of Casa Blanca will only add spectacular effect to the play when old Raisuli makes up his mind to invade the American stage, as promised. Of course, the old rascal is not fooling around in the fire zone just now.

The Birmingham Ledger boasts that the Southern States are the only ones where men can be elected to the Senate on their merit. But then, this was presumably not intended as an allusion to the strength developed by Vardaman in Mississippi.

Under the new Texas law, a Texas ranger stepped aboard a train and arrested a passenger for taking a "nip" out of his own pocket-flask, and the trans-Texas railroads are wondering how much below the two-cent rate they will have to drop to stay in business.

STRAWS IN THE STREAM
By H. R. R. Hertzberg

A PLEA FOR MERCY.

Fell me with a hammer,
Pierce me with a lance,
Stab me with a dagger,
You who seek perchance

Heavily to injure
Me and give me pain,
Or perchance to have me
For my sinning slain!

Torture me with help o'
Fire by slow degrees,
Slice me in the China
Fashion, if you please!

But, I do implore you,
My mysterious foe,
That you're not devoid of
Gentle mercy show!

Bruise me, cut me, roast me,
As I've said before:
Only, do not have me
Butchered by a—borc!

Bravely I'll surrender
Unto death my breath
'Less I should be killed by
Being—talked to death!

FOLLICULES.

While it appears highly improbable, of course, it still may be that we ourselves are slightly inaccurate at times. But there's no doubt that all other men are liars very often.

She has a very brilliant head—of hair, since she has dyed it golden-yellow.

Is there anything we like as well as praise? Yes; more of it.

Although there cannot be a wedding without a bridegroom, the bridegroom is hardly "in it." It is the bride's party.

The friend who will endorse one's note is sometimes preferable to the friend who will endorse one's opinions and actions.

ENGLAND IS THE EXCEPTION.

All persons who
Enjoy their food
Esteem as good
An Irish stew.

Yet, it is true
The English no'er
Deem pleasant fare
An Irish stew.

A PROPHECY.

Gladys. Maude's fiance does not believe in divorce.

Blanche—Ah? But Maude's husband will.

FROM THE PEOPLE

(The Item has set aside this column for the people. Contributions from the people on any subject of public interest are invited. Such communications must be signed, however, as they are personal expressions which this paper does not indorse).

The Editor of The Item:

The only trouble about your proposed "spillway" as a means of relieving New Orleans from high water is that there is precious little levee in the lower river, and that during the last freshet the river poured cheerfully over most of these lines without affecting the level here. A "spillway" any larger or deeper than that already existing would merely have the effect, as proven by the action of the river in every large crevasse, of creating bars across the river and backing the water up here until we would have to grow web-feet.

RIVER-WISE.

NO.

New Orleans, Aug. 8, 1907.

The Editor of The Item—Has a landlord a right to take half of your yard without notifying you? Answer in your valuable paper, as I am a subscriber.

Yours truly,
FRED. A. S. DECKELMAN.

The answer is: No.—Ed. Item.

HIS IDEA OF HAPPINESS.

At the Players in New York a number of actors were arguing about the meaning of the word "happiness."

In the midst of the argument Henry E. Dixey appeared, and one of the contestants said:

"Dixey, what is your idea of happiness?"

Mr. Dixie smiled thoughtfully. Then he replied:

"My idea of true happiness is to lie on a couch before a right fire, smoking a large Havan cigar given me by an admirer, while I listen to a woman who worships me reading aloud flattering press notices about my acting."—New York Tribune.

NEVER GRATIS.

"I gave you a dime and you went immediately into a saloon," remarked the benevolent old gentleman. "Don't you know it is very wasteful to spend your money for liquor?"

"I've often thought of that, sir," replied the weary wayfarer, "but I've never yet found a place where I could get it for nothing."—Philadelphia Record.

AN ADMISSIBLE AMENDMENT.

Champ Clark is an admirer of former Congressman Johnson of Indiana. He tells this story to illustrate Johnson's skill in debate and parliamentary procedure:

"Former Congressman Johnson of Indiana in debate called an Illinois congressman an ass. This was unparliamentary and had to be withdrawn.

"Mr. Johnson said, 'I withdraw the language, Mr. Speaker, but I insist that the gentleman from Illinois is out of order.'

"'How am I out of order?' yelled the man from Illinois.

"'Probably a veterinary surgeon could tell you,' retorted Johnson.—Exchange.

CHANGED.

"See that man leaning over the rail of the vessel?" said one European passenger to another. "He's one who's sick."

"Yes; well I remember when he didn't know where his next meal was coming from." "Indeed! Things are very much changed with him now!"—Yonkers Statesman.

A CONDITION.

BY CLAUDIA ASHTON.

"When I'm a grown-up man as big as father I shall marry you," announced Roger, with all the assurance of twelve years.

"Perhaps I shan't want to marry you," said Marcella, who, although two years younger than her would-be husband, saw no reason why she should not have some voice in the matter. "Perhaps I shall marry Dicky Blair," she added.

"Oh, Ella! You promised me!"

"I can change my mind if I like," retorted this true daughter of Eve; "and you must learn to do lots of things that Dicky can do if you want me to choose you instead of him."

"What sorts of things?" asked Rogers anxiously.

"Well, whistle tunes, for one thing, for dolly and me to dance to, and cut faces out of corks, and—and—oh, heaps of things."

"I can whistle," said the boy. "Listen!" and a very faint piping came from his lips.

"Pooh!" shouted Marcella, "that's nothing. Whistle proper tunes loudly, I mean; and, anyhow, even if you can whistle, I shall marry someone who is awfully rich and who I love awfully, so there."

"Miss Marcella," called nurse, "come along quickly; we must take this turning. Now, say good-bye to Master Roger at once."

But Roger turned away. He would not let his lady-love see how much he minded having his matrimonial plans utterly disorganized, even if not altogether destroyed.

* * * * * * * * *

"It is very tiresome that that young Falconer should be coming home just now," said Mrs. Estart in an aggrieved tone.

"Why, my dear?" asked her husband. He was accustomed to his wife's grievances, and rarely noticed them; but he did not understand why she should mind the son of his old friend and neighbor, Col. Falconer, being invalided home from South Africa.

"Oh, you men are so dense," replied the lady sharply. "Why? Because of Marcella, of course. Here she is, twenty-five, not married, and evidently not wanting to be. Here is Sir John Ponderton, rich, desirable in every way—rather old, perhaps, but that is no drawback—madly in love with her, and no other man near to try to supersede him.

"Now we hear this young Falconer is coming back. He is about Marcella's age, I have heard he is very good looking, and he is probably poor as a mouse. Who knows what complications may arise, especially as Marcella has such extraordinary ideas. Of course, they haven't met for years—not since they were children, in fact—and I shall try to prevent their seeing much of each other, at any rate, till Marcella's engagement to Sir John is an fait accompli.

"Do speak English, dear," was all Mr. Estart replied to his wife's speech, and she snapped her lips together and left him.

Sir John Ponderton was 57, but he was rich, and Mrs. Estart, into whose mind the question of love never entered, saw no reason why her daughter should not marry him.

"We are poor as we can be, Marcella," she said over and over again, "and as Sir John is so anxious to marry you, it is only your duty to consent."

But Marcella, with the optimism of youth, thought there were other things than money worth considering, especially as she must take with it a padded, painted, bowigged wreck of what had once been a handsome, pleasure-loving man.

Three times he had proposed to her and been refused, but backed by Mrs. Estart and his $30,000 a year he did not despair. He was their nearest, in fact their only, acquaintance in the lonely country place where they lived, and Mrs. Estart viewed with dismay the advent of a younger and better, though poorer, possible rival.

* * * * * * * * *

Roger Falconer had been at home for three months, and had been in spite of her mother's precautions, a great deal of Marcella Estart. He could not help remarking the anxiety of Mrs. Estart and Sir John to attain their end, and it was only natural that with the childish friendship to fall back upon, and dislike at seeing a girl urged against her will to marry a man old enough to be her father, he should become what Mrs. Estart called "undesirably friendly" with Marcella.

And then one day, when things came to a point, when Sir John proposed for a fourth time and was refused, and Mrs. Estart emptied the vials of her wrath and disappointment on her daughter's head, Roger asked Marcella to marry him.

"I know I am not as rich as that old fellow," he said, "but I've enough for two people, and I love you, Marcella. I'm almost afraid to tell you, for I've never forgotten, when we were children and played in the wood, how you snubbed me one day, and said you wouldn't marry anyone who couldn't whistle better than Dicky Blair. I can fulfill that condition, I think, but not the other of being 'awfully rich.'"

Marcella smiled.

"What a horribly avaricious child I must have been!" she said. "But the little girl in the wood had yet a third condition. Don't you remember? She said she would only marry some one she—"

The man looked at her eagerly.

"Loved awfully," she finished, and Roger knew that Sir John Ponderton would never have another chance.

NOT A DOCTOR.

"In the summer," remarked the obese passenger with the big diamond stud, "people should eat nothing but cold food and drink the coldest water obtainable."

"Ah!" exclaimed the railway detective, "you are evidently a doctor."

"Not me," replied the o. p. "I'm an ice dealer."—Chicago News.

A MISOGYNIST.

"Me father," said Mrs. Murphy, "always gits up whin a lady onthers the room."

"The ould man is too suspicious," Mr. Murphy grunted. "I niver seen the woman yit that 'ud be mane enough to hit yo whin ye was sittin' down."—Exchange.

REDEEMING FEATURE.

"I am afraid, madam," said a gentleman who was looking for country lodgings, "that the house is too near the station to be pleasant." "It is a little noisy," assented the landlady, "but from the front veranda one has such a fine view of people who miss the train."—Philadelphia Inquirer.

ON THE JUMP.

Is it really only ten minutes' walk to the station from your house?" asked Citman.

"What a ridiculous question," exclaimed Subbubs.

"Nobody in lovely Swamphurst ever 'walks' to the station. I may say, however, that it's only about eight and a half minutes' run."—Philadelphia Press.

SEALED PROPOSALS.

Comptroller's Office.
City of New Orleans.
New Orleans, Aug. 2, 1907.

Pursuant to Ordinance Nos. 3332 and 3966, N. C. S., sealed proposals will be received at this office until the hour of 1 p. m. Wednesday, Aug. 14, 1907, for subsurface drains, culverts, curbs and gutter bottoms and sidewalk pavements on Short street, from Jeannette to Birch streets, in accordance with plans and specifications on file in the office of the City Engineer.

Deposit $100 with the City Treasurer, and his receipt enclosed with bid.

Bond 25 per cent of the estimated cost of the work based on the prices bid in the proposal.

The City Engineer will furnish bidders with a blank form of proposal; no proposal will be considered unless submitted on such form. Bidders must have paid their city license in order that their bids may be accepted.

The city reserves the right to reject any and all bids.

CHAS. R. KENNEDY,
Comptroller.

Aug. 3 to 14 incl

Board of Fire Commissioners,
Room 24, City Hall.
New Orleans, La., July 30, 1907.

Sealed bids will be received at this office until 7 o'clock p. m., Thursday, Aug. 8, 1907, for furnishing the New Orleans Fire Department with the following supplies for the period of one month, viz:

"FEED" for the department animals.
"GASOLINE" and other oils.

All bids to be in accordance with the specifications on file in this office.

The board reserves the right to reject any and all bids.

By order of the Board of Fire Commissioners.

HERMAN MIESTER, President.
JNO. B. SHEEHAN, Secretary.
July 30 dly to Aug. 8 inc.

HAULING AND LAYING WATER PIPE

Office of Sewerage and Water Board,
No. 625-634 Carondelet street.
New Orleans, June 26, 1907.

Sealed proposals will be received until 3 o'clock p. m., Wednesday, September 4, 1907, for the hauling and laying of approximately 250 miles of cast iron water pipes, from 4 to 30 inches in diameter and aggregating about 26,000 tons.

The work will be divided into four contracts, and a certified check on a New Orleans bank made for $1,500 must be deposited with the Secretary of the Sewerage and Water Board not later than 3 o'clock p. m., Wednesday, September 4, 1907, by each bidder and one for each contract bid upon.

A surety company bond for an amount equal to 25 per cent. of the gross amount of each contract will be required of the successful bidder in each case.

Specifications, general plans and blank form of proposal may be seen at the office of the Board, and specifications will be printed ready for distribution, after July 15th, 1907.

The right is reserved to reject all bids.

F. S. SHIELDS, Secretary.
GEO. G. EARL, General Superintendent.
July 4 to Sept 3, inc.

FURNISHING AND LAYING SEWER PIPE.

Office of the Sewerage and Water Board,
Nos. 625-634 Carondelet Street,
New Orleans, La., July 2, 1907.

Sealed proposals will be received until 3 o'clock p. m., Wednesday, Sept. 11, 1907, for the construction of, approximately, 110 miles of sewers and appurtenances.

The sewers will range in size from 8 to 27 inches, and in depth from 5 to 17 feet, and will include, approximately, 1230 manholes and 443 flush tanks.

The work will be divided into four contracts, and a certified check on a New Orleans bank for $1500 must be deposited with the Secretary of the Sewerage and Water Board not later than 2 o'clock p. m., Wednesday, Sept. 11, 1907, by each bidder, and one check for each contract bid upon.

A surety company bond for an amount equal to 25 per cent of the gross amount of each contract will be required of the successful bidder in each case.

Specifications, general plans and blank forms of proposals may be seen at the office of the Board, and specifications will be printed, ready for distribution, after July 15, 1907.

F. S. SHIELDS,
Secretary.

GEO. G. EARL,
General Superintendent.
jy 11 to sep 10, '07

BOARD OF LIQUIDATION, CITY DEBT, Room 10, City Hall, New Orleans, La., July 28, 1907.—Notice to Capitalists and Investors.—The Board of Liquidation of the City Debt, in conformity with Act No. 2 of the General Assembly of the State of Louisiana for the session of 1906, ratified by the people on the 3d day of November, 1906, as an amendment to the Constitution of the State of Louisiana, will receive sealed bids or proposals for the purchase of the School Teachers' Salary Bonds of the City of New Orleans.

Said issue of bonds will not be less than one hundred and seventy-five thousand dollars, or more than two hundred thousand dollars; said bonds will be of the denomination of $1000 each, dated Jan. 1, 1907, payable twenty years after date, with the right to redeem any or all of said bonds by lot after Jan. 1, 1917, after ten days' notice in a newspaper published in each of the cities of New York and New Orleans.

Said bonds will bear interest at the rate of 4 per cent per annum, payable semi-annually on the 1st day of January and July, respectively, in each year. Past due interest coupons on said bonds will be cut off and cancelled before delivery to the purchaser. Said bonds will be sold at the highest premium obtainable. No sale will be made at less than par and accrued interest. Said bonds will be deliverable as soon as practicable after acceptance of bid.

The principal and interest of said bonds are secured by one-half of the surplus of the 1 per cent debt tax, levied in accordance with the Constitution of the State of Louisiana, in the manner and to the extent set forth in said Act No. 2, of 1906.

Sealed bids or proposals will be received at the rooms of the Board of Liquidation of the City Debt, in the City Hall, City of New Orleans, up to 3 o'clock p. m., on Tuesday, the 27th day of August, 1907. Said bids or proposals must be addressed to the Board of Liquidation of the City Debt.

Each bid for an amount less than the entire issue must be accompanied by certified check for 5 per cent of the amount bid. Bids for the entire issue must be accompanied by a certified check for $5000. The certified check, or checks, of the successful bidder, or bidders, will, upon adjudication, be cashed by the Board of Liquidation, City Debt, and the amount held as security for compliance with the bid, or bids.

T. WOLFE, Jr., Secretary.
July 28 to Aug. 27, inc.

Comptroller's Office,
City of New Orleans,
New Orleans, Aug. 2, 1907.

Pursuant to Ordinance No. 4605, N. C. S., sealed proposals will be received at this office until the hour of 1 p. m. Wednesday, Aug. 14, 1907, for sub-surface drains and sidewalk pavements on Broadway street; from Leake avenue to St. Charles avenue, in accordance with plans, specifications on file in the office of the City Engineer.

Deposit $300.00 with the City Treasurer, and his receipt enclosed with bid.

Bond 25 per cent of the estimated cost of the work, based on the prices bid in the proposal.

The City Engineer will furnish bidders with a blank form of proposal; no proposal will be considered unless submitted on such form. Bidders must have paid their city license in order that their bids may be accepted.

The city reserves the right to reject any and all bids.

CHAS. R. KENNEDY,
Comptroller.

Aug. 3 to Aug. 14, inc.

Comptroller's Office,
City of New Orleans,
New Orleans, Aug. 2, 1907.

Pursuant to Ordinance No. 3966, N. C. S., sealed proposals will be received at this office until the hour of 1 p. m. Wednesday, Aug. 14, 1907, for paving with asphalt Short street, from Jeannette to Birch streets, in accordance with plans and specifications on file in the office of the City Engineer.

Deposit $100 with the City Treasurer, and his receipt enclosed with bid.

Bond 25 per cent of the estimated cost of the work based on the prices bid in the proposal.

The City Engineer will furnish bidders with a blank form of proposal; no proposal will be considered unless submitted on such form. Bidders must have paid their city license in order that their bids may be accepted.

The city reserves the right to reject any and all bids.

CHAS. R. KENNEDY,
Comptroller.

Aug. 3 to Aug. 14 incl.

OFFICIAL NOTICE.

Office of Public Belt R. R. Commission,
Rooms 21-22, City Hall.
New Orleans, La., Aug. 1, 1907.

To the Public:

Notice is hereby given that the Public Belt Railway owned by the City of New Orleans will begin operation on the river front of the City of New Orleans in the section extending from Jefferson Parish line to Montegut street on the first day of October, 1907. MARTIN BEHRMAN,
Mayor of New Orleans and President Public Belt R. R. Commission.
aug 1 to 10 inc.

Comptroller's Office,
City of New Orleans,
New Orleans, La., July 20, 1907.

Public notice is hereby given that on Thursday, August 22, 1907, in the City Council Chamber, City Hall, at the hour of 12 o'clock M., I will proceed to sell at public auction to the highest bidder, in accordance with Ordinance No. 4776, N. C. S., the sale of a lease for the period of five (5) years, in accordance with specifications on file in the office of the Comptroller, the property belonging to the City of New Orleans and forming the corner of Iberville and Bourbon streets, in the square bounded by Canal and Royal streets, the said lease not to be adjudicated for a sum less than two thousand five hundred ($2,500.00) dollars per annum, payable monthly, the proceeds of said lease to be paid to the Library Board.

CHAS. R. KENNEDY,
Comptroller.

j22toaug22 inc.

Comptroller's Office.
City of New Orleans.
New Orleans, La., July 10, 1907.

Public notice is hereby given that on Monday, Aug. 12, 1907, in the City Council Chamber, City Hall, at the hour of 12 o'clock, M., I will proceed to sell at public auction to the highest bidder for cash, to be paid at the time of adjudication, in accordance with Ordinance No. 4661, N. C. S., buildings and improvements, including fences, etc., on the property recently purchased by the City of New Orleans as a site for the erection of the First Danneel school building, situated in square No 12, bounded by Annunciation, Laurel and Arabella streets and Nashville avenue, in accordance with the provisions of Ordinance No. 4418, N. C. S., the said improvements not to be sold for a sum less than three hundred ($300) dollars.

CHAS. R. KENNEDY,
Comptroller.

July 11-Aug 12 inc.

Comptroller's Office,
City of New Orleans,
New Orleans, La., Aug. 2, 1907.

Public notice is hereby given that on Thursday, Oct. 3, 1907, in the City Council Chamber, City Hall, at the hour of 12 o'clock m., I will proceed to sell at public auction to the highest bidder for cash, to be paid at the time of the adjudication the privilege of erecting a public market in the Sixth District, including within the boundary of Napoleon avenue, rFanklin, Berlin, Rampart; Ramart, General Taylor, Dryades, Milan; Dryades, Baronne, Constantinople, General Taylor; Baronne, Carondelet, General Taylor; Baronne, Carondelet, General Taylor and Peniston streets, in accordance with terms, conditions and specifications contained in Ordinance No. 4606, N. C. S., which said ordinance is hereby annexed and made a part of this advertisement.

CHAS. R. KENNEDY,
Comptroller.
Mayoralty of New Orleans.
City Hall, Aug. 1, 1907.
Calendar No. 6531.

NO. 4606, NEW COUNCIL SERIES.

AN ORDINANCE authorizing the Comptroller of the City of New Orleans to sell at public auction the privilege of erecting a public market in the Sixth District.

Section 1. Be it ordained by the Council of the City of New Orleans, That the Comptroller of the city advertise in the Official Journal for, in case the privilege of erecting a public market in that portion of the City of New Orleans, Sixth District, included within the boundary of Napoleon avenue, Franklin, Berlin, Rampart; Rampart, General Taylor, Dryades, Milan; Dryades, Baronne, Constantinople, General Taylor; Baronne, Carondelet, General Taylor, Peniston streets; said privilege to be adjudicated to the highest bidder for cash, provided the said bid shall be more than two hundred and fifty ($250.00) dollars, to be paid at the time of adjudication, provided that the adjudicatee shall, before erecting the market, submit the site and the value thereof to the City Council for approval, and, provided further, that the market shall not be located nearer to any existing public market than the distance prescribed by law for the location and operation of private markets. The new market building to be erected on the land of the adjudicatee, according to the plans and specifications that shall have been prepared by the City Engineer and approved by the City Council before bids shall be invited. The said market is to be so situated as to be bounded on both sides by a street, and the other two sides by an alley eight (8) feet wide; the said building and alleys to cover a space of about five thousand square feet. Upon the completion and acceptance of said work by the City Engineer, the land and buildings are to be deeded to the City of New Orleans, to become immediately city property, with the privilege in favor of the adjudicatee or assigns, to collect all legal revenues derived from said market for the term and space of twenty-five years from the date of transfer, when the ownership of the city is to become absolute; provided that the city shall at all times during the term of this contract have the right to terminate the same and to retain the absolute and unconditional ownership of said market and the site upon which it may be erected, upon paying the adjudicatee the original cost of said market and site, a statement of the cost of said work to be filed with the Council as soon as said market shall be completed, and to be approved by the said Council; and, provided further, that the adjudicatee shall maintain the market building and premises at all times in good and satisfactory condition to the Commissioner of Police and Public Buildings.

Section 2. Be it further ordained, etc., That the successive bidder shall begin said work within six months after the contract or adjudication is finally awarded.

Section 3. Be it further ordained, etc., That the adjudicatee shall be required to furnish good and solvent security in the full sum of one thousand ($1,000.00) dollars for the faithful performance of the obligation assumed under the adjudication, and provided for the erection of the market, according to the plans and specifications of the City Engineer, who shall issue a certificate when the building is finished.

Sec. 4. Be it further ordained, etc., That each intending bidder, before bidding for this privilege, shall, in order to be eligible to bid, deposit with the Comptroller the sum of five hundred ($500.00) dollars as a guarantee that he will, if awarded the privilege, comply with all the provisions of this ordinance, the guaranty of unsuccessful bidders to be immediately refunded to them by the Comptroller, and the guaranty of the successful bidder to be returned to him by the Comptroller when he has signed the contract proposed by this ordinance.

New Orleans, April 29, 1907.

Approved by Franchise Committee as amended on April 29, 1907.

W. J. HARDEE,
Chairman Franchise Committee.

Adopted by the Council of the City of New Orleans April 16, 1907.

T. W. CAMPBELL,
Clerk of the Council.

Adopted as amended by Franchise Committee April 30, 1907.

T. W. CAMPBELL,
Clerk of the Council.

Approved May 1, 1907.

MARTIN BEHRMAN,
Mayor.

A true copy:
W. P. BALL,
Secretary to the Mayor.
Aug 3 to Oct 3

Board of Liquidation, City Bonded Debt,
Room 10, City Hall.
New Orleans, La., Aug. 1, 1907.

NOTICE TO HOLDERS OF JUDICIAL EXPENSE FUND BONDS.

The Board of Liquidation of the City Debt will purchase or redeem on and after Tuesday, Aug. 13th, 1907, Twelve Judicial Expense Bonds, numbered 145 to 156, both inclusive.

Interest on said bonds will cease on and after said date.

The whole in accordance with Article 156 of the Constitution of the State of Louisiana of year 1898, the provisions of which relating to the redemption of said bonds are made part of this notice.

T. WOLFE, JR., Secretary.
aug. 1 to 13, incl.

TO WHOM IT MAY CONCERN.

The following ordinance is being published as the law directs.

GEORGE FERRIER, JR.,
Assistant Clerk of Council.
Mayoralty of New Orleans.
Calendar No. 6786.

By Mr. O'Connor, by request.

AN ORDINANCE granting switch track privileges to the Bedell Structural Steel and Foundry Company.

Section 1. Be it ordained by the Council of the City of New Orleans, That permission be and the same is hereby granted to the Bedell Structural Steel and Foundry Company to construct, maintain and operate with steam, locomotive or other motive power a switch or side track diagonally across the intersection of Clio and Clara streets, connecting the property of the Bedell Structural Steel and Foundry Company in the square bounded by Clio, Erato, Clara and Magnolia streets, with the property of the Illinois Central R. R. Co., in the square bounded by Clio, Calliope, Willow and Clara streets, as shown on the blue print annexed hereto and made part hereof.

Section 2.—Be it further ordained, etc., That the said switch track shall be constructed according to plans and specifications to be approved by the City Engineer and by the Commissioner of Public Works, and maintained in such a manner as at no time after completion to be an obstruction to the drainage of streets or the passage of vehicles.

Section 3. Be it further ordained, etc., That the privilege described in Section 1 of this ordinance be and the same is hereby granted for the term of ten years for the consideration of the payment of the sum of five hundred ($500.00) dollars, payable in ten annual installments of fifty ($50.00) dollars each, in advance, the first payment to be made on Oct. 1, 1907, and the other payments on or before Oct. 1 in each subsequent year.

Section 4. Be it further ordained, etc., That the grantee shall not exercise the privilege herein granted except in connection with its own business and shall not make leases or grant the right of use to private persons for rent or hire, and that no charge shall be made to the City of New Orleans for using the herein described switch track, that the privilege herein conferred shall be inalienable and not transferable by the grantee.

Section 5. Be it further ordained, etc., That the Bedell Structural Steel and Foundry Company shall furnish a good and solvent bond satisfactory to the Finance Committee, in the sum of five hundred ($500.00) dollars, as a guarantee that they will carry out the provisions of Section 2 of this ordinance, and in the event that the said Bedell Structural Steel and Foundry Company abandon said switch track, to remove same and place streets in original good condition.
Aug 2 to 16.

TO WHOM IT MAY CONCERN.

The following Ordinance is being published as the law directs.

GEORGE FERRIER, JR.,
Assistant Clerk of Council.
Mayoralty of New Orleans.
Calendar No. 6788.

By Mr. Hartson.

AN ORDINANCE:

Section 1—Be it ordained by the Council of the City of New Orleans, that the Comptroller be and he is hereby directed to advertise for sale, according to law, and to sell in block, at public auction at his office in the City Hall, New Orleans, to the bidder of the highest percentage of gross annual receipts to be derived from the franchise hereinafter provided for, during the term thereof (said percentage to be estimated and collected according to law on the gross annual income derived from the said franchise, after deducting all taxes paid by the purchaser to the City and State), but no adjudication shall be made for less than — percentum of the gross annual income less taxes.

The franchise, right of way, and right to construct, maintain and operate, together with all tracks, curves, switches and other appurtenances necessary thereunto, line of street railway over the routes and through the streets and places in the City of New Orleans hereinafter set out and described, for a term of thirty-nine (39) years from the 30th day of June, 1912, said line of street railway being particularly described as follows, to-wit:

Beginning on St. Bernard avenue, east side, at the intersection of Villere street, along St. Bernard avenue, east side, to Broad street, along Broad street, west side, to Laharpe street, with a privilege to continue said track to Bayou road, there to connect with existing tracks of the Orleans Railroad Company; returning from the intersection of Broad and Laharpe street to the corner of the said Broad street, and the rails which may be used jointly, based upon the number of railroad companies authorized to use same, with a reasonable allowance for depreciation, and shall further pay the proportionate cost of maintenance based upon the number and character of cars operated, as compensation for the use of said tracks.

Wherever it is necessary to lay a third rail alongside an existing track said rail shall be of the same depth as the other two rails forming said existing track.

And wherever trolley poles and span wires are already in use in streets traversed by this line the purchaser of this franchise shall not erect new poles and span wires, but shall use those already erected and pay the proportionate cost of the construction and maintenance based upon the number of companies using same.

21. The purchaser shall within ninety (90) days after the signing of the notarial contract herein provided, submit to the City Engineer a list of whatsoever curves, crossovers, switches and connecting tracks he may deem necessary for the efficient operation of the lines herein described, and such list thereof as the City Engineer shall approve shall become appurtenances of the said lines.

22. The purchaser shall, within ninety (90) days after the signing of the notarial contract herein provided, submit to the City Engineer a list of whatsoever locations he may deem requisite for the erection of stands or pavilions for the use of employes or agents of the purchaser for the convenience and protection against weather of passengers; and such thereof as the City Engineer shall approve the purchaser shall be privileged to construct.

23. The cars shall be of the latest improved pattern and finish, and shall at all times be kept clean and neat and in good operating order, and shall be provided with ventilators on the roof.

24. Cars shall run as often as the purchaser may deem proper, but not at greater intervals than one every ten (10) minutes from 5:30 a. m. to 12:30 p. m., and from 12:30 p. m. to 5:30 a. m. at intervals not greater than one hour but after the expiration of five years the Council of the City of New Orleans shall have the right to adopt or substitute another schedule governing and controlling the running and operation of the cars.

25. The speed of the cars shall not exceed fifteen (15) miles per hour on any of the streets traversed by this line.

26. The motor cars may haul one or more trailers. Cars shall not be compelled to stop except at the further side of the crossing, and they shall not wait for passengers who are not on the crossing ready to enter.

27. Should the said franchise be purchased by the New Orleans Railway and Light Company, no fare shall be charged in addition to that paid by passengers upon existing lines; but the City of New Orleans shall be entitled to receive, in consideration for this franchise its percentage of a five-cent fare for each and every passenger conveyed over the tracks covered by this franchise or any part thereof; and should the said franchise be purchased by a purchaser other than the New Orleans Railway and Light Company, it shall be permitted to charge a fare of five (5) cents for each passenger carried by it over the tracks covered by this ordinance or any part thereof.

28. The purchaser or his assigns shall have the right and privilege to trim trees along the various routes, to cut the same, or to remove poles, as the exigencies of the service may require, under the supervision of the City Engineer and City Electrician.

29. At the expiration of the aforesaid franchise, to-wit, June 30, 1951, the said tracks, rolling stock, equipments, fixtures, real estate, barns, structures and appurtenances shall revert to the City of New Orleans upon the payment by it of a valuation to be ascertained by two disinterested persons, one to be appointed by the City of New Orleans, the other by the purchaser or his assigns, and in the event of a disagreement between the two persons thus appointed, as to said valuation, a third person or umpire shall be appointed by the Civil District Court or its lawful successor, and the decision of said umpire shall be final.

30. All bidders shall deposit with the Comptroller an amount sufficient to cover all costs of advertising this franchise before their bids shall be received by him, in case of an adjudication, the deposit of the successful bidder shall be applied to the payment of the cost of the advertising and all other deposits shall be returned. In the event the Council shall reject all the bids, the Comptroller shall pay the cost of advertising this franchise from all the deposits, prorating the cost equally among the depositors, returning the balances of the deposits for costs to the depositors, it being the object of this provision of the ordinance to avoid any liability on the part of the city for cost of advertising in any event.

31. The Mayor is hereby authorized for and in the name of the City of New Orleans to sign a notarial contract with the party or parties to whom this franchise may be adjudicated, their heirs or assigns, subject to all the terms and conditions of this ordinance and for the price of the adjudication.
Aug 1 to 15 inc.

railway shall be identical in method and material with the construction of the existing lines of the Orleans Railroad Company, and to the lines and levels to be established by the City Engineer.

11. All work to be done in a thorough and first-class manner, and all material furnished to be first-class, and to the satisfaction of the City Engineer and Commissioner of Public Works.

12. Except on the neutral ground, where a 70-pound to the yard T-rail may be used, all tracks to be laid with side-bearing 9-inch girder rails of such shape, dimensions and weight as shall be approved by the City Engineer.

13. On top of the sub-grade and extending at least four feet three inches on each side of the center of the track shall be laid, close, 1-inch cypress planks in direction of the rail, on top of which planks shall be placed four inches of good concreting gravel or other suitable material, on which shall be laid cross-ties, which cross-ties shall be cypress 5-inches by 8 inches by eight feet in length, or stringer construction where pavement may require same. These cross-ties to be thoroughly bedded, rammed and tamped in the gravel or other suitable material to bring the surface of the rail to the proper grade, and every precaution taken to have the rails thoroughly solidified in the gravel or other suitable material.

The ties to be spaced not more than three feet centers, and the space between the ties to be filled in flush with the top of the ties with gravel rammed and packed in position.

14. On dirt streets, anticipating the future paving of such streets; the sub-grade shall be the same as for the tracks through streets which are paved, and shall be planked with three-inch planks between tracks and rails, and for a distance of eighteen inches on the outside of each outer rail.

15. All existing culverts, which are crossed by this line of railway shall be placed in thoroughly first-class order and to grade of railway, with the same quality of material now existing, in conformity with existing franchise of the Orleans Railroad Company.

16. The poles carrying feed and trolley wires shall be of wood or iron, strong and substantial, and shall be imbedded in concrete; the location of these poles to be such as shall be approved by the City Engineer, and all damages accruing from the improper erection of the poles to either private or public property to be made good by the purchaser or his assigns.

17. The wires shall be thoroughly insulated in the most approved manner, and the whole system of wiring, conveying electricity, to embody the most approved appliances for the operating of cars by the trolley system.

18. At points where the tracks of this line of railway cross the t