

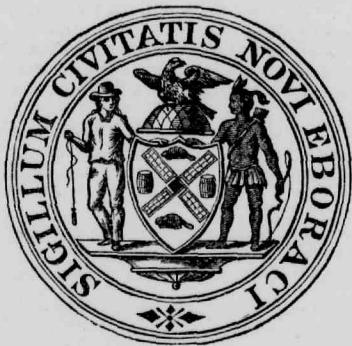
# THE CITY RECORD.

## OFFICIAL JOURNAL.

VOL. V.

NEW YORK, WEDNESDAY, DECEMBER 26, 1877.

NUMBER 1,381.



### LEGISLATIVE DEPARTMENT.

#### BOARD OF ALDERMEN.

##### STATED SESSION.

MONDAY, December 24, 1877,  
2 o'clock P. M.

The Board met in their chamber, No. 16 City Hall.

##### PRESENT:

Hon. Henry D. Purroy, President;

##### ALDERMEN

William L. Cole,  
Rufus B. Cowing,  
John De Vries,  
Ferdinand Ehrhart,  
John W. Guntzer,  
George Hall,  
Henry E. Howland,  
Alderman Slevin was here called to the Chair.

William Joyce,  
Patrick Keenan,  
William Lamb,  
Samuel A. Lewis,  
John J. Morris,  
Lewis J. Phillips,  
Joseph C. Pinckney,

Bryan Reilly,  
William Salmon,  
William Sauer,  
Thomas Sheils,  
Stephen N. Simonson,  
James J. Slevin,  
Michael Tuomey.

The minutes of the meetings of December 18 and 24, 1877, were read and approved.

##### PETITIONS.

By Alderman Joyce—

Memorial of James E. Serrell, in relation to the supply of Croton water, as follows:

##### OUR WATER SUPPLY.

NEW YORK, 29th October, 1877.

To the Honorable the Common Council of the City of New York:

GENTLEMEN—Don't let us be deceived. Where does all our water supply come from? is the first question; and shall try to put in regular routine all the facts, beginning at the commencement, together with official statements compared with themselves, from whom, and the dates up to the present time, together with such comparisons as are relevant, in general terms and in "round numbers." As to quantities:

The source of supply is the rain-watershed, which covers an area of about 340 square miles, all of which centres to the Croton river, and includes all the lakes and ponds taken and proposed to be taken for our water supply in this State.

Mr. Allan Campbell says, in his report 18th October, 1876, and also referred to hereafter: "The water has not flowed over the Croton dam since 22d June, 1876, except for the short space of four days;" and the report published on the 13th November, 1876, New York Herald, says, "nearly an overflow at the Croton dam."

The overflow of all these 340 square miles is the only source of supply—the term overflow is used, for if the water drawn off one season is not replenished the next, all our supply is the overflow; and this overflow does decrease every year, as the land is cleared up and cultivated, and trees cut down.

Taking these remarks as a basis, will now follow up the line of reasoning from facts and statements.

Mr. Allan Campbell, in his report on the water supply, dated 18th October, 1876, says: "The Croton river has decreased to a mere brook within the period of"—some years; also says, "the water wasted over the Croton dam every year, would, if retained by Storage Reservoirs, supply the city for many years; and one year has passed and the ponds are not refilled."

It has been put on record—the figures, on the basis of Mr. Allan Campbell's own statement, that all the reservoirs under the control of the city would only supply water for 22 days without any additional source being added to the supply, see CITY RECORD, dated 17th November, 1876.

That the acquisition of Lake Mahopac and Kirk pond, at the same basis of calculation would only add an additional supply of 20 days more, in all 42 days (as to the correctness of these computations, they are only the result shown by the figures of Mr. Campbell in official reports on this subject).

Now, we come to the rain-fall in each year (which may be less in the years to come), and we find that should it be as copious as in any former years the supply drawn off last year would not be replenished, taking the proportion relatively.

Now, then, what are the facts? We have an increasing population, and a decreasing water supply! Therefore, in fact, it is not any use making new wells and not any water to come into them, or making reservoirs of 420 acres, ready to be finished next year, and not any water to put into them. Why should we shut our eyes to this terrible fact? Water and Liberty are alike, viz: we never know their great value until deprived of them.

The Croton Lake is a long pond, or wide river when full; it has at its westerly extremity a dam, over which any excess of water passes (when there is such an excess), and on this dam a lip or strip of timber has been recently placed, to keep what has not tried to get out since it was put there. This timber is about one foot high; and should the water rise, would retain in depth one foot more water than before it was put there, and flood the banks and bring in decayed wood from the shores, which are about fourteen miles in length.

The Aqueduct begins at the dam, and is a mason work sewer, with a grade or descent to the city of about thirteen inches in one mile (the Boston aqueduct built since, has only five inches in one mile).

The cross-section of the Croton Aqueduct is about 50 square feet, (and with a fall of nearly three times as much as the Boston Aqueduct) would bring water very fast if a full supply and also a full discharge is allowed to High Bridge, at which place it has to "climb down" and up to cross the Bridge; but has a fall of two feet from the aqueduct on the Westchester side to the aqueduct on the New York side. At the New York side the pumping engine is located, which takes all the water it supplies for the high service reservoir at One Hundred and Seventy-fourth and One Hundred and Seventy-fifth streets, west of Ninth avenue; also at the same place, the Tower reservoir is situated, for supplying the Fort Washington property, with a second high service. The continuation of the city's supply is through the original masonry aqueduct, in a southerly direction from High Bridge to the top of the valley of Manhattan; thence in pipes to the reservoirs in the Central Park, where there are four basins—two old, and two new. The old reservoirs cover an area of 35 acres, (and have a capacity very good when full), and the new, or Grand reservoirs cover an area of 96 acres (and have a very great supply also, when full).

The "Distributing Reservoir" at Fifth avenue, Fortieth and Forty-second streets (which is proposed to be taken down as useless) is supplied from main pipes, and its only use is (according to Mr. Allan Campbell's report, dated 23d October, 1877), "the distribution through these two mains now is the accumulation of about two million gallons of water in the reservoir during the night, which is drawn off again in the morning." This amount of water would be very serviceable in case of fire, and would furnish two gallons for each of the population of the whole city, every day. Yet, with this statement, it is continued in the same report, which says, "the distribution being thus practically from the Central Park reservoirs, the one at Forty-second street is no longer needed;" and again says, "the opportunity of securing for all time another park in the heart of the city, once lost, can

never be supplied." If the reservoir remains as now, it can at any other time be taken down if found by practical experience and a more direct connection with the aqueduct north of Harlem river to supply these two million gallons "accumulated in the night," all well; but what shall we say about the great purifying qualities produced by the use of this reservoir upon the water?

It will be remembered by many, and can be also proved by living witnesses, that water in a cask will become offensive if closed, but by taking the bung out, in a short time after, the water will be much sweeter; and if exposed to light, air, and sun, and disturbed, it produces a very purifying effect—such is the effect on our water in its passage through the reservoirs. The water in certain parts of the city where not exposed to light and air, one place named is Ninth avenue and Forty-second street, and this vicinity, the water is dead; and by the use of a microscope, will be seen the dead animalculæ; and the discolored water caused from being in the dark, and under pressure, and not circulating, but is the same as a tight band which stops the circulation of our blood; but the water rises free into the reservoirs, circulates, throws off its impurities and sparkles with new life, "it plays with clouds and mocks the skies," in its delight to be free in its onward course of healthful usefulness; and these changes are not realized without close and constant observation the (growth of plants, particularly that of the vine or gourd, and pumpkin kinds), but these changes do take place almost as rapid as fog, in their extent—for, whence does fog come and go? The millions of animalculæ confined in the dark, iron dungeons—the "large pipes," "equal in size to the whole of the Croton Aqueduct," as Mr. Campbell tells in report dated 18th October, 1877, this water moves slower and slower the larger the pipes, and remains in darkness and under pressure for long periods, in many locations for months, and is no doubt, "great cruelty to animalculæ," and also to the stomachs of "talking animals;" (but am credibly informed that there are those who do not punish themselves in the use of this beverage).

In the legal proceedings of Saturday last, 20th October, 1877, at White Plains, before Judge Dyckman, authority was then given to appoint a Commission to condemn and take for public use, Lake Mahopac, Kirk Pond, and the use of Muscote river; that opposition was made by the owners of this property, but was overruled by the application of Mr. Campbell, Commissioner of Public Works.

These lakes or ponds are only depressions in the land, and are not supplied by the condensation from snow-capped mountains; and the result of the past few years has shown that the source of the Croton is only a rain-shed, and that the ponds have not been replenished; and by reference to the table of rain-falls for the past ten years, that the supply will never be equal to the increasing demand. Why should we continue in this unsafe channel?

The Hudson river water, by analysis made by Prof. C. F. Chandler, of Columbia College, 1870, shows that the water of the Hudson river, as low down as Poughkeepsie, is better in every respect than the Croton river water.

The superficial area of the Hudson river above Rondout, before it comes in contact with any impurities likely to contaminate the water, is twenty-six miles; twelve miles to Saugerties, and fourteen miles more to Hudson. The place proposed by me, is opposite Saugerties, and south of Green Flats.

The water is both deep and wide at this place, and would be far more pure than the water examined by Prof. Chandler.

And it is hoped that speedy action will be taken to stop the course of law so lately put in legal form at White Plains, and the attention of the city directed in a useful channel.

If any better mode can be suggested and carried into practical use, it will have my full support, whatever it may be; but invite "opposition which is the life of business," and in this particular case, every person in the city is interested in this important commodity, water.

In conclusion, would say that when my opposition was made to the storage reservoirs before they were taken, I stood alone in opposition to the then proposed plan, and have been so opposed ver since, and am now almost alone, except a few, which I fully believe will soon increase to be a multitude.

All of which is respectfully submitted,

JAMES E. SERRELL, City Surveyor and Civil Engineer.  
No. 244 West Forty-ninth Street.

Which was referred to the Committee on Public Works.

##### MOTIONS AND RESOLUTIONS.

By Alderman Simonson—

Resolved, That permission be and the same is hereby given to Kitchen & Morgan to pave the sidewalk in front of their premises on the west side of the Eleventh avenue, from Sixty-first to Sixty-third street, with Belgian pavement, with two strips of flagging through the centre of the sidewalk, the same to be done at their own expense and under the direction of the Commissioner of Public Works, and to remain only during the pleasure of the Common Council.

The President pro tem. put the question whether the Board would agree with said resolution. Which was decided in the affirmative.

By Alderman Morris—

Resolved, That permission be and the same is hereby given to Smith & McNell to lay a cross-walk across Greenwich street, opposite No. 198, and across Washington street, opposite No. 199; the work to be done at their own expense, under the direction of the Commissioner of Public Works.

The President pro tem. put the question whether the Board would agree with said resolution. Which was decided in the affirmative.

By Alderman Salmon—

Resolved, That Horace Secor, Jr., be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Benjamin A. Harney, whose term of office expires on the 27th of December.

Which was referred to the Committee on Law Department.

By Alderman Lamb—

Resolved, That Charles S. Goodrich be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Charles S. Goodrich, whose term of office expires on the 30th of December.

The President pro tem. put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—The President, Aldermen Cole, Cowing, De Vries, Ehrhart, Guntzer, Hall, Joyce, Keenan, Lamb, Morris, Phillips, Pinckney, Reilly, Sauer, Sheils, Simonson, Slevin, and Tuomey—19.

By the same—

Resolved, That permission be and the same is hereby given to Walter H. Ackerman to retain a sign in front of his premises, No. 444 Broome street; such permission to continue only during the pleasure of the Common Council.

The President pro tem. put the question whether the Board would agree with said resolution.

Which was decided in the affirmative.

By Alderman De Vries—

Resolved, That permission be and the same is hereby given to W. H. Hurlbut & Co. to place a storm-door in front of the entrance to Nos. 468 and 470 Broome street, not to exceed eleven feet nine inches high, five feet ten inches wide, and to project not more than two and two-twelfths feet beyond the front of the building; the work to be done at their own expense under the direction of the Commissioner of Public Works: such permission to continue only during the pleasure of the Common Council.

The President pro tem. put the question whether the Board would agree with said resolution.

Which was decided in the affirmative.

By the President—

Resolved, That while this Board is in favor of the removal from office of all officials proved guilty of official misconduct, they are at the same time in favor of fair dealing, and therefore they will not confirm any person as Police Commissioner until the charges against the three Police Commissioners have been finally disposed of.

The President pro tem. put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—The President, Aldermen Cole, De Vries, Ehrhart, Guntzer, Hall, Howland, Joyce, Keenan, Lamb, Lewis, Morris, Phillips, Pinckney, Reilly, Sauer, Sheils, Simonson, Slevin, and Tuomey—20.

Negative—Alderman Cowing—1.

(G. O. 365.)

By Alderman Morris—

Resolved, That the Commissioners of Police be and they are hereby requested to report to the Common Council immediately—

First—The name and place of business of every person in the city engaged in the sale of spirituous liquors, ales, beer or wine, under the Excise Laws of the State.

Second—Whether and how many of such persons have received a license, from the Board of Excise, during the year 1877.



Third—The name and place of business of every person who has paid money to said Board of Excise, and received what is known as a "receipt" for the same, the amount so paid, and the date of payment.

Fourth—The name of every person who has received back money so paid, and acknowledged by such receipt, with the date of such refunding; and said Police Commissioners are also hereby requested to ascertain and report the name and place of business of every person who has paid money to said Board of Excise or either of them, or to any employee or subordinate officer of said Board, for or on account of any application for license, and for which such person may not have received a receipt or other voucher. And be it further

Resolved, That the Clerk of this Board be and he is hereby directed to immediately transmit these resolutions to his Honor the Mayor for his approval, and the Clerk is then directed to immediately send a copy of these resolutions to the Board of Police Commissioners, that they may proceed immediately. And said Board of Police Commissioners are, upon the completion of their report, hereby directed to transmit a certified copy of the same to the Commissioners of Accounts.

Which was laid over.

(G. O. 366.)

By Alderman Tuomey—

Resolved, That the Comptroller be and he is hereby authorized and directed to draw a warrant in favor of Dr. E. B. O'Callaghan for the sum of one thousand and forty-one dollars and sixty-six cents (\$1,041.66), to be in full payment for services rendered by him from January 1 to March 15, 1877, in preparing for the press, with appropriate introduction and notes, the ancient records of the City of New Amsterdam and of the City of New York, prior to 1850, pursuant to resolution approved May 30, 1870, and charge the amount to the appropriation for "City Contingencies," 1877.

Which was laid over.

By Alderman Keenan—

Resolved, That permission be and the same is hereby given to the New York Athletic Club to have a banner-sign across Broadway, at the intersection of Fourteenth street, the work to be done at their own expense, under the direction of the Commissioner of Public Works; such permission to continue only until January 6, 1878.

The President pro tem. put the question whether the Board would agree with said resolution. Which was decided in the affirmative.

(G. O. 367.)

By Alderman Simonson—

Resolved, That lamp-posts be erected and street lamps lighted in One Hundred and Sixth street, from the Boulevard to the Riverside Drive, under the direction of the Commissioner of Public Works.

Which was laid over.

#### PETITIONS RESUMED.

By Alderman Tuomey—

Petition to pave One Hundred and Twentieth street, between Second and Third avenues, as follows:

To the Honorable the Board of Aldermen of the City New York:

GENTLEMEN—We, the undersigned owners and occupants of the property on and adjoining One Hundred and Twentieth street, between Second and Third avenues, in the City of New York, respectfully ask for the passage of the resolution below:

Resolved, That One Hundred and Twentieth street, between Second and Third avenues, be paved with Belgian pavement, and the grade be regulated, under the direction of the Department of Public Works, without delay, and the accompanying ordinance be adopted.

Webber & Warwick, 210 and 212 East 120th st.  
William H. Striker, 242 East 120th st.  
George W. Carter, 238 East 120th st.  
M. E. Crasto, 233 East 120th st.  
Ernst Ammon, 216 East 120th st.  
Ernst Ammon, 218 East 120th st.  
Ernst Ammon, 220 East 120th st.  
Ernst Ammon, 222 East 120th st.  
James Griffiths, 209 East 120th st.  
N. Y. Life Insurance & B. W. Barton, Ch. Fire Com., 120th st.,  
Nos. 215, 217, 219, 221.

Which was referred to the Committee on Public Works.

#### REPORTS.

The undersigned, the Committee on Law Department, having examined the ordinance hereunto annexed, have come to the conclusion that the ordinance is a wise and much needed one, and therefore report in favor of its passage.

AN ORDINANCE in relation to ashes and garbage and receptacles therefor.

Section 1. The owner or owners of any building occupied as a dwelling-house situate upon any street or avenue in the city of New York, in which a sewer is or shall be constructed, shall cause to be constructed in front of said building or buildings, below the grade of the sidewalk and adjoining the curb or gutter next to the roadway, a metal ashes and garbage receptacle, which shall consist of separate compartments for ashes and garbage; said compartments shall contain movable metal vessels of sufficient capacity to receive all of the ashes and garbage deposited from each dwelling-house, and the receptacle for garbage shall be perforated so as to permit all liquid matter to flow therefrom into the sewer, and shall be connected in every instance by a trapped connection with the sewer or a drain-pipe leading thereto, and the covers of said receptacles shall be so adjusted as to remain open only while filling or emptying the same; and said receptacles shall be subject to the inspection and regulation of the Board of Health, so far as relates to their cleanliness and the necessity of disinfecting them.

No person shall deposit any ashes in any receptacle other than that constructed for such purpose in front of the building occupied by such person, and no garbage shall be deposited by any person in any receptacle other than that constructed for such purpose in front of the building occupied by such person.

Sec. 2. On and after the first day of June, eighteen hundred and seventy-eight, in all cases of failure to comply with the provisions of this ordinance, upon a complaint made to any Police Justice of the city of New York, said Police Justice shall issue a warrant and cause the person complained of to be brought before him for trial. Upon satisfactory proof of a willful violation of any of the provisions of this ordinance, such Police Justice shall impose a fine not to exceed ten dollars for such violation, and shall commit the offender, in default of payment, to the City Prison until such fine be paid, but not exceeding ten days, each day of imprisonment to liquidate one dollar of such fine.

Sec. 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

Sec. 4. This ordinance shall take effect immediately, except as herein provided.

SAMUEL A. LEWIS, Committee  
GEORGE HALL, on  
HENRY E. HOWLAND, Law Department.

Which was referred to the Committee on Law Department.

Alderman Keenan moved to lay the report over.

The President pro tem. put the question whether the Board would agree with said motion.

Which was decided in the negative by the following vote:

Affirmative—Aldermen Joyce, Keenan, Morris, Reilly, and Sheils—5.

Negative—The President, Aldermen Cole, De Vries, Ehrhart, Guntzer, Hall, Howland, Lamb, Lewis, Pinckney, Sauer, Simonson, Slevin, and Tuomey—15.

Alderman Sheils moved to amend by striking out the word "ten" before the word "dollars," and inserting in lieu thereof the word "two," and by striking out the word "ten" before the word "days," and inserting in lieu thereof the word "two."

The President pro tem. put the question whether the Board would agree with said motion.

Which was decided in the affirmative.

Alderman Sheils moved to recommit the report to the Committee.

The President pro tem. put the question whether the Board would agree with said motion.

Which was decided in the negative by the following vote:

Affirmative—Aldermen Cole, Cowing, Ehrhart, Guntzer, Joyce, Keenan, Lewis, Morris, Salmon and Sheils—10.

Negative—The President, Aldermen De Vries, Hall, Howland, Lamb, Pinckney, Reilly, Sauer, Simonson, Slevin and Tuomey—11.

The President pro tem. then put the question whether the Board would agree with said resolution.

Which was decided in the negative by the following vote:

Affirmative—The President, Aldermen De Vries, Hall, Howland, Lamb, Pinckney, Sauer, Simonson, Slevin, and Tuomey—10.

Negative—Aldermen Cole, Cowing, Ehrhart, Guntzer, Joyce, Keenan, Lewis, Morris, Phillips, Reilly, Salmon, and Sheils—12.

#### UNFINISHED BUSINESS.

The President called up G. O. 339, being a resolution, as follows:

Resolved, That the Comptroller be and he is hereby authorized and directed to draw his warrant in favor of the following-named persons, for the sums respectively set opposite their names, for services rendered to the Board of County Canvassers, and charge the amount to the appropriation for "Election Expenses."

Oliver White.....	\$75 00	Bernard C. Ryan.....	\$75 00
Michael Shaughnessy.....	75 00	Thomas Higgins.....	50 00
George W. Kershaw.....	50 00	James Rogers.....	50 00
James A. Hennessy.....	75 00	James P. Purcell.....	50 00
James W. McGowan.....	50 00	Warren C. Bennett.....	50 00
Richard Fox.....	50 00	Charles H. Quinn.....	50 00
Julius Boh.....	50 00	James Reilly.....	50 00
Alexander Stem.....	50 00	Albert G. Sauer.....	75 00
Michael H. Twomey.....	50 00	Joseph Schneider.....	50 00
Frank Finley.....	50 00	E. F. Welch.....	50 00
Patrick Salmon.....	50 00		

Resolved, That the Comptroller be and he is hereby authorized and directed to draw his warrant in favor of John N. Outwater for two hundred dollars, for services rendered as Accountant to the Board of County Canvassers, and charge the amount to the appropriation for "Election Expenses."

Alderman Pinckney moved to refer to the Committee on Finance.

The President pro tem. put the question whether the Board would agree with said motion.

Which was decided in the negative by the following vote, on a division called by Alderman Sauer.

Affirmative—Aldermen Cowing, Howland, Morris, Phillips, Pinckney—5.

Negative—The President, Aldermen Cole, De Vries, Ehrhart, Guntzer, Hall, Joyce, Keenan, Lamb, Lewis, Reilly, Salmon, Sauer, Sheils, Simonson, Slevin, and Tuomey—17.

Alderman Reilly moved to amend by striking out the figures "\$75," wherever they occur, and insert in lieu thereof the figures "\$50."

The President pro tem. put the question whether the Board would agree with said motion.

Which was decided in the negative by the following vote:

Affirmative—Aldermen Cole, De Vries, Ehrhart, Howland, Morris, Pinckney, Reilly, and Simonson—8.

Negative—The President, Aldermen Guntzer, Hall, Joyce, Keenan, Lamb, Lewis, Salmon, Sauer, Sheils, Slevin, and Tuomey—12.

The President pro tem. then put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote (three-fourths of all the members elected voting in favor thereof):

Affirmative—The President, Aldermen Cole, De Vries, Ehrhart, Guntzer, Hall, Joyce, Keenan, Lamb, Lewis, Reilly, Salmon, Sauer, Sheils, Simonson, Slevin, and Tuomey—17.

Negative—Aldermen Cowing, Howland, Morris, Phillips, and Pinckney—5.

The President here resumed the chair.

Alderman Salmon called up G. O. 319, being a resolution and ordinance, as follows:

Resolved, That One Hundred and Thirtieth street, from Broadway to the Hudson river, be paved with Belgian or trap-block pavement, and that, at the several intersecting streets and avenues crosswalks be laid where not now laid, and relaid where those now laid are, in the opinion of the Commissioner of Public Works, not in good repair, or are not upon a grade adapted to the grade of the proposed new pavement, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was ordered on file.

Alderman Sauer called up G. O. 362, being four separate resolutions in favor of leasing armories, as follows:

Resolved, That the leasing of premises for an armory and drill-room, for the use and occupation for military purposes of the Eighth Regiment of the National Guard in the City and County of New York, be and the same is hereby authorized, and that the Clerk of this Board be and he is hereby authorized and directed to execute a lease in the name of the Mayor, Aldermen, and Commonalty of the City of New York, and to affix the seal of the said Corporation thereto, of the hall and rooms on the upper story of the building situated on the southwest corner of Ninth avenue and Twenty-seventh street, and known as Nos. 281, 283, 285, and 287 Ninth avenue, and Nos. 404, 406, 408, and 410 West Twenty-seventh street, for the term of five years from the first day of January, one thousand eight hundred and seventy-eight, at the yearly rental of six thousand seven hundred dollars, payable quarterly, to be used and occupied by all the Companies of the Eighth Regiment, for a Regimental Armory; that the said lease shall provide that no alterations or additions to the said premises shall be made by the said Corporation or the said regiment without the previous written consent of the owners; also, that the said premises be heated by steam at the expense of said owners, and that the superstructure shall be kept in good repair during the term of said lease by and at the expense of the owners of said property; and that there be inserted in said lease the usual fire clause, and that the Comptroller be and he is hereby directed to pay the said rent quarterly.

The President put the question whether the Board would agree with the above, being the first resolution.

Which was decided in the affirmative by the following vote (three-fourths of all the members elected voting in favor thereof):

Affirmative—The President, Aldermen Cole, Cowing, De Vries, Ehrhart, Guntzer, Hall, Joyce, Keenan, Lamb, Lewis, Morris, Phillips, Reilly, Salmon, Sauer, Sheils, Simonson, Slevin, and Tuomey—20.

Negative—Aldermen Howland and Pinckney—2.

Resolved, That the leasing of premises for an armory and drill-room for the use and occupation for military purposes of the Ninth Regiment of the National Guard in the City and County of New York, be and the same is hereby authorized, and that the Clerk of this Board be and he is hereby authorized and directed to execute a lease in the name of the Mayor, Aldermen, and Commonalty of the City of New York, and to affix the seal of the said Corporation thereto, for the executors of estate of Paran Stevens, of the premises in Twenty-sixth street, between Seventh and Eighth avenues, now occupied by the Ninth Regiment, N. G. S. N. Y., for a term of three years and four months, from the first day of January, 1878, with the privilege that the City of New York, at the expiration of such term, upon a notice of four (4) months having been previously given by the Comptroller of said city to the owner of these premises, may at its option continue such term at the same rent until January 1, 1883, at an annual rent of eight thousand dollars for the use of said regiment as an armory and drill-room, and the Comptroller is hereby authorized and directed to pay said rent quarterly from the proper appropriation; that the said lease shall provide that no alterations or additions to the said premises shall be made by the said corporation or the said regiment without the previous written consent of the owner; also, that the superstructure shall be kept in good repair during the term of said lease by and at the expense of the owner of said property; and that there be inserted in said lease the usual fire clause.

The President put the question whether the Board would agree with above, being the second resolution.

Which was decided in the affirmative by the following vote (three-fourths of all the members elected voting in favor thereof):

Affirmative—The President, Aldermen Cole, Cowing, De Vries, Ehrhart, Guntzer, Hall, Howland, Joyce, Keenan, Lamb, Lewis, Morris, Phillips, Pinckney, Reilly, Salmon, Sauer, Sheils, Simonson, Slevin, and Tuomey—22.

Resolved, That the leasing of premises for an armory and drill-room for the use and occupation for military purposes of the Twelfth Regiment of the National Guard in the City and County of New York be and the same is hereby authorized, and that the Clerk of this Board be and he is hereby authorized and directed to execute a lease in the name of the Mayor, Aldermen, and Commonalty of the City of New York, and to affix the seal of the said Corporation thereto, from R. T. Ford, of the hall and rooms on the second story of the building situated on the east side of Broadway, between Forty-fourth and Forty-fifth streets, being the same premises that were formerly leased for and are now occupied by the Twelfth Regiment, N. G. S. N. Y., for a term of three (3) years and four (4) months from January 1, 1878, with the privilege that the City of New York, at the expiration of such term, upon a notice of four months have been previously given by the Comptroller of said city to the owner of these premises, may at its option continue such term at the same rent until January 1, 1883, at the yearly rent of seven thousand dollars, payable quarterly, to be used and occupied by all the companies of the Twelfth Regiment, for a regimental armory; that the said lease shall provide that no alterations or additions to the said premises shall be made by the said corporation or the said regiment without the previous written consent of the owner; also that the superstructure shall be kept in good repair during the term of said lease by and at the expense of the owner of said property, and that there be inserted in said lease the usual fire clause.

The President put the question whether the Board would agree with the above, being the third resolution.

Which was decided in the affirmative by the following vote (three-fourths of all the members elected voting in favor thereof):

Affirmative—The President, Aldermen Cole, Cowing, De Vries, Ehrhart, Guntzer, Hall, Howland, Joyce, Keenan, Lamb, Morris, Phillips, Pinckney, Reilly, Salmon, Sauer, Sheils, Simonson, Slevin, and Tuomey—21.

Resolved, That the leasing of promises for an armory and drill-room for the use and occupation for military purposes of the Washington Grey Troop of the National Guard, in the City and County of New York, be and the same is hereby authorized, and that the Clerk of this Board be and he is hereby authorized and directed to execute a lease, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, and to affix the seal of the said Corporation thereto, from R. T. Ford, of the rooms on the second story of the building situated on the south side of Forty-fifth street, near the corner of Broadway, being the same premises now occupied by said Washington Grey Troop, for a term of three years and four months, from January 1, 1878, with the privilege that the City of New York, at the expiration of such term, upon a notice of four months having been



previously given by the Comptroller of said city to the owner of these premises, may at its option continue such term at the same rent until January 1, 1883, at the yearly rent of two thousand dollars, payable quarterly, to be used and occupied by the said Washington Grey Troop for an armory; that the said lease shall provide that no alterations or additions to the said premises shall be made by the said corporation, or the said company, without the previous written consent of the owner; also that the superstructure shall be kept in good repair during the term of said lease by and at the expense of the owner of said property, and that there be inserted in said lease the usual fire clause.

The President put the question whether the Board would agree with the above, being the fourth resolution.

Which was decided in the affirmative by the following vote (three-fourths of all the members elected voting in favor thereof):

Affirmative—The President, Aldermen Cole, Cowing, De Vries, Ehrhart, Guntzer, Hall, Howland, Joyce, Keenan, Lamb, Lewis, Morris, Phillips, Pinckney, Reilly, Salmon, Sauer, Sheils, Simonson, Slevin, and Tuomey—22.

#### MESSAGES FROM HIS HONOR THE MAYOR.

The President laid before the Board the following message from his Honor the Mayor:

EXECUTIVE DEPARTMENT—CITY HALL,  
NEW YORK, December 24, 1877.

To the Honorable the Common Council:

GENTLEMEN—I herewith return without my approval the resolution requesting the Mayor to assume the control of the question of licensing persons to keep inns, taverns, or ordinaries, or victualing houses, and to sell excisable or strong liquors.

The mayor of this City, under the present Statutes of the State, has clearly no exclusive power to grant licenses for the sale of strong, spirituous, or intoxicating liquors, and I am therefore constrained to withhold my approval of the resolution.

SMITH ELY, JR., Mayor.

Whereas, Section 25 of the Montgomerie Charter, granted in 1730, is most emphatic in its terms, in granting to the Mayor, Aldermen, and Commonalty of the City of New York, by the Mayor of the city, absolute and unrestricted control of the licensing of taverns, etc. It is as follows:

"Section 25. And we do for us, our heirs and successors, grant, ratify, and confirm unto the said Mayor, Aldermen, and Commonalty of the City of New York, and their successors, FOREVER, that the Mayor of said city, for the time being, and NO OTHER WHATSOEVER, shall have power to give and grant licenses, annually, under the public seal of said city, to all such persons as he shall think fit to license them, and every of them, to keep a tavern, inn, ordinary, or victualing-house, and to sell wine, brandy, rum, strong waters, cider, beer, ale, or any other sort of excisable or strong liquors, within the City of New York, or the liberties and precincts thereof, by retail, or the small measure; and that it shall be lawful to and for the said Mayor of the said city, for the time being, to ask, demand, and receive for every such license, by him to be given and granted as aforesaid, such sum or sums of money as he and the person to whom such license shall be given and granted shall agree for, not exceeding the sum of thirty shillings (British) for each license; all which sums as by the said Mayor shall be so received, shall be used and applied to the public use of the said Mayor, Aldermen, and Commonalty of the said City of New York, AND THEIR SUCCESSORS, FOREVER, without any account thereof to be rendered, made, or done to us, our heirs, or successors, or any other person whatsoever.

And we do hereby, for us, our heirs, and successors constitute, direct, ordain and appoint, that no person or persons whatsoever, without such license being in force, shall at any time hereafter, keep any tavern, inn, public ordinaries, or victualing houses, or sell wine, brandy, rum, strong waters, cider, beer, ale, or any other sorts of excisable or strong liquors, within the City of New York, or the liberties or precincts thereof, by retail or small measure, under the penalty of five pounds (British) current money of New York, for every time that any person shall act contrary hereto in any respect, to be forfeited and paid by every person for every time he or she shall offend or act contrary hereto, in any respect, to and for the use of the said Mayor, Aldermen, and Commonalty of the City of New York for the time being; and all every of which penalties shall and may be levied, by distress and sale of the goods and chattels of such delinquent and delinquents, by warrant under the seal of the said city, signed by the Mayor thereof, or his deputy, rendering the surplage thereof, if any be (the necessary charges of making and selling such distress being first deducted), or by any other lawful method to be obtained; and shall be recovered and received by and to the ONLY use of the Mayor, Aldermen, and Commonalty of the City of New York, AND THEIR SUCCESSORS FOREVER, without any account thereof to be given to us, our heirs or successors, or to any of the ministers or officers of us, our heirs or successors;" and

Whereas, The Governor and Council, and the General Assembly of the Colony of New York, by an act passed October 14, 1732, declared valid, and confirmed unto the Mayor, Aldermen, and Commonalty of the City of New York, the above, and all the other vested rights then enjoyed, section 4 of which provides as follows:

"IV. And be it enacted by the authority aforesaid (the Governor, Council, etc.) that the Mayor, Aldermen and Commonalty of the City of New York, and their successors, shall and MAY FOREVER HEREAFTER, peaceably have, hold, use and enjoy all and every, the rights, gifts, charters, grants, powers, liberties, privileges, franchises, custom, usages, constitutions, immunities, markets, duties, tolls, lands, tenements, estates and hereditaments which have heretofore been given or granted under the Mayor, Aldermen and Commonalty of the City of New York, by any letters patent, grant, charter, or gift, sealed under the seal of the Colony of New York," the aforesaid Montgomerie Charter having been examined, certified and sealed with the seal of the Colony, by R. Bradley, Attorney-General, January 15, 1730, and by Frederick Morris, Deputy Secretary, February 4, 1730; and,

Whereas, The first Constitution of this State, adopted in 1777, confirmed all the above rights, privileges, franchises and immunities to the corporate authorities of this city, and the Constitution of 1821 and 1846 reiterates this confirmation, section 18 of the latter instrument containing that of 1846. The confirmation contained in the latter instruments (1821 and 1846), however, are entirely supererogatory, as the unsolicited confirmation, by the first Constitution of the State (1777), secured them forever to the Mayor, Aldermen, and Commonalty of this city, and their successors in the Common Council; and

Whereas, It cannot be constitutional, right or legal to revoke, alter, or modify any of the vested rights thus secured to this Corporation, by the Charter of 1730, the Act of the Governor, Council and General Assembly of the Colony of New York, in 1732, and by the first Constitution of this State, in 1777, and reiterated in the Constitution of the State of 1821 and 1846, without the consent of the people of this city, at least, being first had and obtained, and as no such consent has ever been given in respect to the control and ownership of the excise franchise, which is a direct, pecuniary vested right in this Corporation, it ought to be exercised by the Mayor, acting for the people of this city; and

Whereas, In the conflicting, uncertain, and disreputable results now daily witnessed in this city, of the special legislation, passed in derogation of this vested right, it is practicable for this Corporation to reclaim the benefits intended to be conferred in the original charter, by the exercise of this franchise; be it, therefore,

Resolved, That his Honor the Mayor be and he is hereby respectfully, yet earnestly, requested to assume, for and in behalf of the Mayor, Aldermen, and Commonalty of the City of New York, the control of the question of licensing such persons as he shall think fit to keep inns, taverns, or ordinaries or victualing houses, and to sell wine, brandy, rum, strong waters, cider, beer, ale, or any other sort of excisable or strong liquors, within the City of New York, or the liberties and precincts thereof, in order to recover back to the city this valuable franchise, and to prevent the disreputable practices of oppression and cruelty now daily inflicted, through the agency of the so-called Excise Commissioners and the Commissioners of Police upon hundreds of our fellow citizens; or, should his Honor the Mayor deem it best, in the interest of the city and its people, first to test the legality of the attempted usurpation of this franchise, which has of late years been made, that he issue one license, as provided in said section 25 of the Charter of 1730, and forbid, by proclamation, any other person from selling excisable or strong liquors under the penalty prescribed in said section, until a final determination of the rights of the city to control the franchise can be obtained in the courts of this city and State, and the Counsel to the Corporation be and he is hereby authorized, directed and required to co-operate with his Honor the Mayor, to the end that the rights of the city may be secured and maintained, and the property and persons of all our citizens be preserved and respected.

Which was laid on the table, and ordered to be printed in the minutes and published in full in the CITY RECORD.

The President laid before the Board the following message from his Honor the Mayor:

EXECUTIVE DEPARTMENT—CITY HALL,  
NEW YORK, December 24, 1877.

To the Honorable the Common Council:

GENTLEMEN—I herewith return without my approval preamble and resolution relative to Justice Walter S. Pinckney of the Seventh Judicial District.

The preamble asserts that Justice Pinckney "has contracted habits of intemperance which have brought the administration of justice into disrepute, and which have prevented him, for a long time, from discharging his judicial duties." As I have no personal knowledge as to the facts asserted, and as there is no evidence of any kind accompanying the paper transmitted to me to substantiate the same, I am constrained to withhold my approval of the preamble and resolution.

I deem it proper, however, to state that any resolution calling the attention of the Counsel to the Corporation to any alleged delinquency of Justice Pinckney, or of any other official in regard to whom the authorities of this city have jurisdiction, and directing him to investigate the same, and in case there seems just and probable cause to suspect that any such official has been guilty of any dereliction or delinquency, to take the proper legal steps to have such official removed from office, will meet with my approval.

SMITH ELY, JR., Mayor.

Whereas, Justice Walter S. Pinckney, who, occupying the position of Justice of the District Court of the City of New York, for the Seventh Judicial District, has contracted habits of intemperance which have brought the administration of justice into disrepute, and which have prevented him for a long time from discharging his judicial duties; and

Whereas, The interests of the public, and particularly of the poorer classes, who are delayed and injured by Justice Pinckney's conduct as a judicial official, imperatively require that immediate action should be taken for his removal; be it therefore

Resolved, That the Corporation Counsel be and he is hereby directed to confer with lawyers and persons doing business in that court in regard to the facts, and upon obtaining sufficient proof to prepare charges against Justice Walter S. Pinckney, and to present them at as early a day as possible to the proper tribunal having jurisdiction thereof, and take such steps by way of prosecuting them as in his opinion may be legal and proper to secure the impeachment and removal of said Justice.

Which was laid on the table, ordered to be printed in the minutes and published in full in the CITY RECORD.

#### MOTIONS AND RESOLUTIONS RESUMED.

Alderman Cowing moved that when the Board adjourns, it do adjourn to meet again on Monday, the 31st inst., at 2 o'clock P. M.

The President put the question whether the Board would agree with said motion.

Which was decided in the affirmative.

#### REPORTS RESUMED.

(G. O. 368.)

The Committee on Public Works, to whom was referred the annexed petition in favor of laying Croton-mains in Sixty-fourth street, between Tenth and Eleventh avenues, respectfully

#### REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the accompanying resolution be adopted.

Resolved, That Croton-mains be laid in Sixty-fourth street, between Tenth and Eleventh avenues, as provided in section 2, chapter 477, Laws of 1875, under the direction of the Commissioner of Public Works.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
S. N. SIMONSON, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 369.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of setting curb and gutter stones, and have sidewalks flagged, etc., in One Hundred and Twelfth street, between Fourth and Madison avenues, respectfully

#### REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution and ordinance be adopted.

Resolved, That One Hundred and Twelfth street, between Fourth and Madison avenues, be regulated and graded, the curb and gutter-stones set and reset, and sidewalk flagged and reflagged full width where not already done, or not on the proper grade, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
S. N. SIMONSON, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 370.)

The Committee on Public Works, to whom was referred the annexed petition in favor of repairing Fortieth street, between Eleventh avenue and Hudson river, respectfully

#### REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the accompanying resolution be adopted.

Resolved, That the Commissioner of Public Works be and he is respectfully requested to repair the carriage way of Fortieth street, between Eleventh avenue and Hudson river.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
S. N. SIMONSON, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 371.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of laying gas mains in Sixty-second street, between Ninth and Tenth avenues, respectfully

#### REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution and ordinance be adopted.

Resolved, That gas mains be laid, lamp-posts erected, and street lamps lighted in Sixty-second street, between Ninth and Tenth avenues, under the direction of the Commissioner of Public Works.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
S. N. SIMONSON, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 372.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of designating the West Side Drive or Boulevard as Broadway, respectfully

#### REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution and ordinance be adopted.

Resolved, That the public thoroughfare known as the West Side Drive or Boulevard, and extending from Fifty-ninth to One Hundred and Fifty-fifth street, shall hereafter be known and designated as Broadway.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
S. N. SIMONSON, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 373.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of flagging sidewalks Seventy-seventh street, from First avenue to Avenue A, respectfully

#### REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution and ordinance be adopted.

Resolved, That the sidewalk on the south side of Seventy-seventh street, between First avenue and Avenue A, be flagged full width, where not already done, under the direction of the Commissioner of Public Works; and that the accompanying ordinance be adopted.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
S. N. SIMONSON, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 374.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of paving Fourth avenue, from One Hundred and Twenty-fifth to One Hundred and Twenty-sixth street, respectfully

#### REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution and ordinance be adopted.

Resolved, That Fourth avenue, between One Hundred and Twenty-fifth and One Hundred and Twenty-sixth streets, be paved with Belgian or trap-block pavement, and that, at the several intersecting streets and avenues crosswalks be laid where not now laid, and relaid where those now laid are, in the opinion of the Commissioner of Public Works, not in good repair, or are not upon a grade adapted to the grade of the proposed new pavement, under the direction of the Commissioner of Public Works, and that the accompanying ordinance therefor be adopted.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
J. C. PINCKNEY, } Public Works.  
S. N. SIMONSON, }

Which was laid over.



(G. O. 375.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of placing a lamp in front of the Newsboys' Lodging House, respectfully

## REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution and ordinance be adopted.

Resolved, That a lamp-post be erected and an ornamental lamp be placed and lighted in front of the Newsboys' Lodging House, No. 14 New Chambers street, under the direction of the Commissioner of Public Works.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
S. N. SIMONSON, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 376.)

The Committee on Public Works, to whom was referred the annexed resolution in favor of lighting Undercliff avenue, Aqueduct avenue, and Featherbed lane with gas, respectfully

## REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution be adopted.

Resolved, That gas-mains be laid, lamp-posts erected, and street lamps lighted in Undercliff avenue, between Sedgwick avenue and Aqueduct avenue, and in Aqueduct avenue, between High Bridge and Featherbed lane; also in Featherbed lane to the junction with McComb's Dam road, in the Twenty-third Ward, under the direction of the Commissioner of Public Works.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
WM. SALMON, } Public Works.  
J. C. PINCKNEY, }  
S. N. SIMONSON, }

Which was laid over.

(G. O. 377.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of lighting One Hundred and Thirty-second street, from Sixth to Seventh avenue, with gas, respectfully

## REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution and ordinance be adopted.

Resolved, That gas-mains be laid, lamp-posts erected and street-lamps lighted in One Hundred and Thirty-second street, between the Sixth and Seventh avenues, under the direction of the Commissioner of Public Works.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
J. C. PINCKNEY, } Public Works.  
S. N. SIMONSON, }

Which was laid over.

(G. O. 378.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of flagging First avenue, between Fifty-ninth and Sixtieth streets, respectfully

## REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution and ordinance be adopted.

Resolved, That the sidewalk on the west side of First avenue, between Fifty-ninth and Sixtieth streets, be flagged full width, where not already done, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
S. N. SIMONSON, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 379.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of paving Seventy-fifth street, between Fourth and Madison avenues, respectfully

## REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution and ordinance be adopted.

Resolved, That Seventy-fifth street, between Fourth and Madison avenues, be paved with Belgian or trap-block pavement, and that at the several intersecting streets and avenues crosswalks be laid where not now laid, and relaid where those now laid are, in the opinion of the Commissioner of Public Works, not in good repair, or are not upon a grade adapted to the grade of the proposed new pavement, under the direction of the Commissioner of Public Works, and that the accompanying ordinance therefor be adopted.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
J. C. PINCKNEY, } Public Works.  
S. N. SIMONSON, }

Which was laid over.

(G. O. 380.)

The Committee on Public Works, to whom was referred the annexed petition in favor of flagging sidewalks on east side of Fifth avenue, from Sixty-third to Seventy-second street, twelve feet wide, respectfully

## REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution and ordinance be adopted.

Resolved, That the sidewalks on east side of Fifth avenue, from Sixty-third to Seventy-second street, be flagged twelve feet wide, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
S. N. SIMONSON, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 381.)

The Committee on Public Works, to whom was referred the annexed communication from the Department of Public Parks, asking to have Seventy-seventh street, from Eighth to Ninth avenue, regulated, graded, paved and curbed, and that the south sidewalk on said street be flagged, respectfully

## REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the following resolution and ordinance be adopted:

Resolved, That Seventy-seventh street, from Eighth to Ninth avenue, be regulated, graded, paved and curbed, and that the south sidewalk of said portion on said street be flagged under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

THOMAS SHEILS, } Committee  
WILLIAM JOYCE, } on  
S. N. SIMONSON, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

## COMMUNICATIONS FROM THE DEPARTMENTS AND CORPORATION OFFICERS.

The President laid before the Board the following communication from the Public Administrator:

Which was ordered on file.  
(For which see CITY RECORD hereafter.)

The President laid before the Board the following communication from the Corporation Attorney, being his annual report for 1877:

Which was ordered on file.  
(For which see CITY RECORD hereafter.)

## MOTIONS AND RESOLUTIONS AGAIN RESUMED.

Alderman Morris moved that the Board do now adjourn.

The President put the question whether the Board would agree with said motion.

Which was decided in the negative by the following vote, on a division called by Alderman Reilly, viz.:

Affirmative—Aldermen Morris, Pinckney, and Simonson—3.

Negative—The President, Aldermen Cole, Cowing, De Vries, Ehrhart, Guntzer, Hall, Howland, Joyce, Keenan, Lamb, Lewis, Phillips, Reilly, Salmon, Sauer, and Slevin—17.

## UNFINISHED BUSINESS RESUMED.

Alderman — called up G. O. 349, being a resolution, as follows:  
Resolved, That two lamp-posts be erected, and Boulevard lamps placed and lighted thereon, in front of the Church of St. Agnes, in Forty-third street, between Lexington and Third avenues, under the direction of the Commissioner of Public Works.

Alderman Pinckney moved to amend, by adding the following:

"Provided, there are not at this time two public lamps lighted in front of said church."

The President put the question whether the Board would agree with said amendment.

Which was decided in the negative by the following vote:

Affirmative—Aldermen Pinckney—1.

Negative—The President, Aldermen Cole, Cowing, De Vries, Ehrhart, Guntzer, Hall, Howland, Joyce, Keenan, Lamb, Lewis, Morris, Phillips, Reilly, Salmon, Sauer, Simonson, Slevin, and Tuomey—20.

The President then put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote (three-fourths of all the members elected voting in favor thereof):

Affirmative—The President, Aldermen Cole, De Vries, Ehrhart, Guntzer, Hall, Howland, Joyce, Keenan, Lamb, Lewis, Morris, Reilly, Salmon, Sauer, Simonson, Slevin, and Tuomey—18.

Negative—Aldermen Cowing, Phillips, and Pinckney—3.

Alderman Sauer, as provided in section 13, chapter 335, Laws of 1873, called up a veto message from his Honor the Mayor, of resolution, as follows:

Resolved, That permission be and is hereby given to the Gold and Stock Telegraph Company to place telegraph instruments in the New Court-house and in the building occupied by the Marine Court, and in the Register's Office, the same to occupy a space not to exceed that now occupied by the Law Telegraph Company on each of the floors on the hallway of the two first-named buildings, and in the said Register's Office, under the direction and supervision of the Commissioner of Public Works, provided that said instruments and the wires connected therewith shall not obstruct or interfere with the regular business of the Courts, nor injure or deface the walls; rent to be the same as that paid by the Law Telegraph Company, to be placed to the credit of the General Fund, and the permission hereby given shall continue only during the pleasure of the proper authorities.

The Board then proceeded to reconsider the same in the manner prescribed by law, and, upon a vote being taken thereon, was adopted by the following vote (three-fourths of all the members elected voting in favor thereof, as follows):

Affirmative—The President, Aldermen Cole, Ehrhart, Guntzer, Hall, Howland, Joyce, Keenan, Lamb, Lewis, Morris, Phillips, Reilly, Salmon, Sauer, Simonson, Slevin, and Tuomey—18.

Negative—Aldermen Cowing, De Vries, and Pinckney—3.

Alderman Joyce called up G. O. 358, being a resolution, as follows:

Resolved, That the lamp on the south side of Fifty-ninth street, fifty feet west of Sixth avenue, be lighted with gas, under the direction of the Commissioner of Public Works.

The President put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote (three-fourths of all the members elected voting in favor thereof):

Affirmative—The President, Aldermen Cole, Cowing, De Vries, Ehrhart, Guntzer, Hall, Howland, Joyce, Keenan, Lamb, Lewis, Morris, Phillips, Pinckney, Reilly, Salmon, Sauer, Simonson, and Tuomey—20.

## MOTIONS AND RESOLUTIONS AGAIN RESUMED.

Alderman Morris moved that the Board do now adjourn.

The President put the question whether the Board would agree with said motion.

Which was decided in the affirmative.

And the President announced that the Board stood adjourned until Monday, December 31, 1877, at 2 o'clock P. M.

FRANCIS J. TWOMEY, Clerk.

## BOARD OF ESTIMATE AND APPORTIONMENT.

BOARD OF ESTIMATE AND APPORTIONMENT—CITY OF NEW YORK, }  
MAYOR'S OFFICE, CITY HALL, }  
TUESDAY, December 18, 1877—11 o'clock A. M. }

The Board met in pursuance to an adjournment.

Present—The following members, viz.:

Smith Ely, Jr., the Mayor of the City of New York; John Kelly, the Comptroller of the City of New York; John Wheeler, the President of the Department of Taxes and Assessments.

Absent—Henry D. Purroy, the President of the Board of Aldermen.

The minutes of the meeting held December 17, 1877, were read and approved.

The estimate for 1878, for the Law Department, was taken up for consideration.

The Counsel to the Corporation offered a few remarks in explanation thereof.

The estimate for 1878, for the Surrogate's Office, was taken up for consideration.

Whereupon Chief Clerk Cornelius Minor made a statement in relation thereto.

The estimate for 1878, for the County Clerk's Office, was then taken up.

When County Clerk Henry A. Gumbleton made a statement in explanation.

The estimate for 1878, for the Sheriff's Office, was taken up.

And Sheriff Reilly made a statement.

The estimate for 1878, for Coroners' Fees, was then taken up.

Whereupon Coroner Ellinger made a statement in reference thereto.

Mr. William A. Boyd, Corporation Attorney, made a statement in relation to the estimate for 1878, for his office.

On motion, the Board adjourned, to meet on Wednesday, December 19, 1877, at 11 o'clock A. M.

JOHN WHEELER, Secretary.

BOARD OF ESTIMATE AND APPORTIONMENT—CITY OF NEW YORK, }  
MAYOR'S OFFICE, CITY HALL, }  
WEDNESDAY, December 19, 1877—11 o'clock A. M. }

The Board met in pursuance of an adjournment.

Present—The following members, viz.:

Smith Ely, Jr., the Mayor of the City of New York; John Kelly, the Comptroller of the City of New York, and John Wheeler, the President of the Department of Taxes and Assessments.

Absent—Henry D. Purroy, the President of the Board of Aldermen.

The reading of the minutes of the meeting held December 18, 1877, was dispensed with.

The estimate for 1878, for the Board of Education, was taken up for consideration.

Whereupon Commissioners Wood, Wickham, and Dowd made statements in reference thereto.

The Chairman presented the following communications:

LAW DEPARTMENT,  
OFFICE OF THE COUNSEL TO THE CORPORATION,  
NEW YORK, December 19, 1877.

## To the Board of Apportionment:

GENTLEMEN—I have received a copy of the resolutions adopted by your Board on the 17th, referring to me, with request for an early opinion, the report of the Commissioners of Accounts with reference to the expenditures of the Board of Education. The subject matter of that report received my thorough consideration in July last, at which time I sent a written opinion upon the subject in answer to a request, a copy of which I inclose to Mr. Commissioner Howe, after several consultations on the subject with him.

The considerations advanced in the communication to the Board of Apportionment are forcibly presented, but after carefully reviewing the subject I entertain no doubt that the view of the law presented by me in the opinion furnished the Commissioners of Accounts is correct, and I therefore inclose a copy of that opinion. The limitation of \$10 per pupil taught, found in the Act of 1851, has been supplanted by the general system found in the Charter of 1873, by which full discretion over the subject of appropriations has been conferred upon the Board of Apportionment.

Yours respectfully,

WILLIAM C. WHITNEY, Counsel to the Corporation.

OFFICE OF THE COMMISSIONERS OF ACCOUNTS,  
32 CHAMBERS STREET, NEW YORK, June 25, 1877. }

## HON. WILLIAM C. WHITNEY, Counsel to the Corporation:

SIR—Accompanying this letter please find Manual of the Board of Education, for 1876, in which is collated all the laws relating to that department of the city government.

Will you do us the favor to give an opinion as to whether or not that Board, in making up its estimate for the Board of Estimate and Apportionment for the year ensuing, should not be governed by the laws thus collated in the accompanying book, and in making such estimate should they not be governed by the table herewith inclosed, and which heretofore has been the basis upon which all their estimates have been made up to 1871, or have these laws been repealed by the Charter of 1873.

Respectfully,

LINDSAY I. HOWE, Commissioner of Accounts.



LAW DEPARTMENT,  
OFFICE OF THE COUNSEL TO THE CORPORATION,  
NEW YORK, July 21, 1877.

LINDSAY I. HOWE, Esq., Commissioner of Accounts:

SIR—Your communication, dated June 25, 1877, has received my careful consideration. While the letter is general in its terms, I have from your personal statements gathered that you really desire an answer to only this question: "Is there any present existing force in the provision of the first subdivision of § 3 of chapter 386 of the Laws of 1851 (as amended by chapter 287 of the Laws of 1867), which provision is as follows: 'It shall be the duty of the Board of Education, on or before the 15th day of November in each year, to report to the Board of Supervisors an estimate of the amount, etc., which will be required during the year, etc.; but the aggregate amount so reported shall not exceed the sum of ten dollars for each pupil who shall have actually attended and been taught in the preceding year?'"

In reply, I would state that, in my opinion, the subdivision in question is not now of controlling authority, for the following reasons, which involve the consideration of the various statutes relative to the imposition of taxes in this county:

By § 150 of chapter 86 of the Revised Laws of 1813, it is provided that the Board of Supervisors of the County of New York shall consist of the Mayor, Recorder, and Board of Aldermen, which officers continued to act in this capacity until after the passage of chapter 590 of the Laws of 1857, providing for a board specially elected.

By the cited section of the Laws of 1813, the Supervisors were authorized to "examine and ascertain what sums of money are by law imposed on the said city in that year for the maintenance of the poor, for defraying the contingent charges of said city, and for other purposes, and shall cause the same to be raised, levied, and collected in the said city," etc.

But, as appears from the opinions of one of the most able and learned of my predecessors (the late Judge Bronson), this law gave no power to the Supervisors to authorize a tax for any purpose, but only to "ascertain what sums are by law imposed, etc." (77 Pro. Aldermen, 328; Pro. Supervisors, 1862, Doc. No. 6, pp. 62-64.)

Accordingly, the Legislature having reserved to itself the power of determining annually what sums should, in the absence of other legislation, be levied by tax in this county, we find that in each year from 1813 till 1871 (in which the so-called "two per cent. act," chapter 581, was passed), it was the custom of the Legislature to pass special laws each year, authorizing the Supervisors in this county to levy certain specified sums by tax.

It is to be noticed, therefore, that during these fifty-eight years, the Supervisors, so far as the yearly tax was concerned, did little more than carry out the specific directions of the Legislature, which had made no grant of discretionary power.

These directions of the Legislature were embodied in laws of two different kinds: the first including the annually recurring tax-levy acts, which authorized and commanded the raising of specific sums for the current year; the second, illustrated by the 15th and 16th sections of chapter 386, of the Laws of 1851 (the Common Schools Act), commanding the levy of a varying amount, to be determined by some body other than the Legislature or Supervisors, and which law of itself was in the nature of a continuing authority or direction for the levy of the amount so determined in each recurring year, so long as the law should exist. But under whichever class of laws the Supervisors acted, they did so (as before observed) merely as the registers of the Legislative will, and without discretionary power.

With reference to the provisions for the common schools, it appears to have been the custom, until the year 1843, to include them in the objects of the annual tax-levy act; but this custom never seems to have been observed after the passage of chapter 320 of the Laws of 1844.

By the 5th section of this law (subsequently incorporated in the 15th section of chapter 386 of the Laws of 1851) it was required that the Board of Supervisors should thereafter annually raise for school purposes certain specified sums, a provision which, operating continuously, dispensed with the necessity of subsequent annual enactments.

By the 16th section of the Law of 1851, a similar continuing authority and requirement was imposed on the Supervisors to provide for the Board of Education in each year, such amount as the latter Board should report as necessary, under the first subdivision of the third section of the act, being the subdivision to which your letter refers.

It was with reference to such a system of annual taxation that the Board of Education was authorized to report to the Supervisors the amount of money needed for its purposes; a scheme in which the Legislature conceded no discretion to the Supervisors, but reserved to itself the duty of annually determining what sums should be levied, and the purposes to which such sums should be applied.

It is not strange that in varying this system, in behalf of the Board of Education, the Legislature was unwilling to invest that Board with unlimited power as to the amount which it should use. It was a great departure to authorize a continuing tax, and to subordinate the Board of Supervisors to the Board of Education; and a check was therefore placed on the latter Board. The Supervisors were compelled to insert in the tax levy whatever sum the Board of Education reported; and for caution it was provided that such report should not be for any sum in the aggregate exceeding the sum of four dollars (altered by Laws of 1867, chapter 287, to ten dollars) for each child in actual attendance upon the schools. This limitation was a consistent and reasonable part of the scheme in existence.

But by the Charter of 1873 (chapter 335, § 112), as amended by § 20, chapter 757, of the Laws of 1873, the Board of Education was brought into connection with a new and entirely different system.

A Board of Estimate and Apportionment was by this act constituted, to which the Legislature delegated that which had always been withheld from the Board of Supervisors—the power of determining what sums should be raised by tax in this city.

The new scheme is complete in itself, involving the following procedure:

The heads of departments and the Board of Education are to send to the Board of Apportionment, and also to the Board of Aldermen, a departmental estimate of the amount of expenditure necessary in the approaching year.

The Board of Estimate and Apportionment are to meet annually, between the first day of August and the first day of November, and make a provisional estimate (based on the departmental estimates) of the amount required to pay the expenses of conducting the public business of the City and County of New York in each department and branch thereof, and the Board of Education, for the then next ensuing financial year.

The provisional estimate is within ten days to be submitted to the Board of Aldermen, which body shall, after considering and investigating the same for not more than fifteen days, transmit it with the necessary objections or rectifications, to the Board of Apportionment.

The Board of Apportionment shall then proceed to the consideration of such objections or rectifications, and after such consideration, shall make a final estimate.

And, this final estimate having been certified to the Board of Supervisors, that body is empowered and directed, annually to cause to be raised according to law, and collected by tax upon the estates, real and personal, subject to taxation within the City and County of New York, the amounts so estimated and certified as aforesaid.

After the enactment of this complete system, there was no longer any necessity for yearly tax-levy acts; and, of course, they have ceased to appear in the annual session laws. The Board of Supervisors have, once for all, been commanded to levy the amount which may be estimated and certified by the Board of Apportionment; and whatever may be amount or objects of that sum, the Board of Supervisors are bound to cause the same to be raised.

The Board of Apportionment is a new power, unlike any existing in this county prior to 1871. It exercises the authority and discharges the function which, for fifty-eight years, the Legislature had reserved to itself, and its grant of this power "to determine the amounts required to pay the expenses of conducting the public business of the City and County of New York, in each department and branch thereof, and the Board of Education" is without limitation. Therefore, the Board may allow to each and every department whatever sum it pleases, unless its action is controlled by the unmistakable provision of some previous law (for there has been no repeal or modification of this law since 1873).

The provision to which you refer in the first subdivision of § 3 of chap. 386 of the Laws of 1851, cannot be construed to be such a limitation upon the Board of Apportionment. It was enacted with reference to a system in which no such authority as that exercised by the Board of Apportionment had any place. It concerned the preparation of a report to the Board of Supervisors, upon whom it was conclusive; while, under the present law, the Board of Aldermen, which confirms the tax, could pay no attention whatever to such a report. While the Board of Supervisors in this particular were formerly subject to the Board of Education, they now are controlled exclusively by the Board of Apportionment.

Again, with reference to the departmental estimates which the Board of Education must furnish to the Board of Apportionment, the Law of 1873, though carefully defining of what it must consist, omits to place any limit as to the amount which it shall call for. It seems to me unreasonable to import such a limitation from a law concerning a report of an entirely different character to a Board of Supervisors bearing no resemblance to the Board of Apportionment.

Legislation of a character not so distinct in its effect as these provisions of the Charter of 1873, has heretofore been considered by one of my predecessors (Mr. Dillon) to have the effect of repealing the subdivisions of the Law of 1851 to which you refer. That opinion is cited at length by Judge Hoffman in his collection of laws relating to the city (Vol. 2, p. 122) with an intimation by himself (in the foot-note) of doubt whether such a repeal had not also been accomplished by the Charter of 1857.

In consideration of all these facts and reasons, and in view of the further fact that in place of the former arbitrary limit upon the Board of Education, there has been substituted a body capable of exercising an intelligent power of reduction, I have reached the conclusion that the section of the law to which you refer is no longer of controlling authority.

But the Board of Apportionment may, in reaching its conclusions, be guided by the terms of a law

which for twenty years expressed the legislative will with reference to the cost of education, even though the law has lost its binding force.

At a recent educational meeting in Massachusetts, it was observed that, within the last twenty-five years, the cost of public instruction in that State had increased three-fold. A similar increase is noticeable in this city, as shown in the following changes in the amount of per capita allowance:

Laws 1851, ch. 386, § 3, gives a per capita allowance of.....	\$4
" 1863, ch. 124, increases this to.....	5
" 1863, chap. 69, again increases this to.....	8
" 1867, chap. 287, the third time increases this to.....	10

You inform me that the latter limit is now largely exceeded, and ask whether the excessive expenditure may not be restrained under the Law of 1851.

I can answer only that if the act referred to were in force and the Board of Education had any authority over the matter, the limit of \$10 per capita would necessarily have to be observed, but now, as the matter is under the control of the Board of Apportionment, that legislative restriction can only serve as a guide to the Board of Apportionment for their discretionary consideration, but does not bind that Board.

I return the volumes submitted by you.

Respectfully yours,

WILLIAM C. WHITNEY, Counsel to the Corporation.

On motion, the Board adjourned, to meet on Thursday, December 20, 1877, at 11 o'clock A. M.  
JOHN WHEELER, Secretary.

## DEPARTMENT OF DOCKS.

At a meeting of the Board of Docks, held 9th July, 1877.

Present—Commissioners Westervelt and Vanderpoel.

Absent—Commissioner Dimock.

On motion, Commissioner Westervelt took the Chair.

The Commissioners presented an audit of a bill or claim of T. & A. Walsh, amounting to the sum of \$6,877; and, being read, was,

On motion, accepted and adopted, and the Secretary directed to forward the said bill, together with a proper requisition for the amount, to the Finance Department for payment.

On motion, the Board adjourned.

EUGENE T. LYNCH, Secretary.

At a meeting of the Board of Docks, held 11th July, 1877.

Present—The full Board.

On motion, Commissioner Vanderpoel took the Chair.

On motion of Commissioner Dimock, Commissioner Westervelt was elected President of the Board for the balance of the year, ending 30th April, 1878, and assumed the Chair.

On motion of Commissioner Dimock, Commissioner Vanderpoel was elected Treasurer of the Department.

Commissioner Dimock submitted the following resolution, and gave notice that he should ask its adoption at the expiration of one week, to wit:

Resolved that section 3, of article 5 of the By-Laws, be and hereby is altered or amended, by striking out therefrom the words "twenty-five," and inserting in place thereof, the word "five," so as to make the bond hereafter to be given by the Treasurer, to be in the sum of not less than five thousand dollars.

On motion, the Board adjourned.

EUGENE T. LYNCH, Secretary.

## APPROVED PAPERS.

Resolved, That permission be and the same is hereby given to Mrs. A. T. Stewart to place two ornamental lamp-posts, of the usual dimensions, in front of her premises on Thirty-fourth street, north side, about fifty feet west of Fifth avenue, the same to be done at her own expense, and the gas to be supplied from her own meter; this permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, December 11, 1877.

Approved by the Mayor, December 18, 1877.

Resolved, That full license, authority, and permission are hereby granted to Edward Silleck, or whoever may now or hereafter be the owner or owners of the house and lot No. 665 Fifth avenue, New York City, to keep and maintain the newells and foundations thereof as now erected and built and connected with the stoop and brown-stone stairway in front of and appurtenant to said premises.

Adopted by the Board of Aldermen, December 14, 1877.

Approved by the Mayor, December 18, 1877.

Resolved, That permission be and the same is hereby given to John Madden to erect two lamp-posts and lamps in front of premises No. 388 Sixth avenue, the posts not to exceed eighteen inches in diameter, the work to be done and gas supplied at his own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, December 14, 1877.

Approved by the Mayor, December 19, 1877.

Resolved, That the resolution approved November 3, 1875, designating Hudson street, from Canal street to Ninth avenue, as a stand for farmers' wagons, be and the same is hereby rescinded and repealed.

Adopted by the Board of Aldermen, December 18, 1877.

Approved by the Mayor, December 19, 1877.

Resolved, That permission be and the same is hereby given to K. Bang to lay a crosswalk four feet wide across Broadway, from No. 1214 to opposite No. 1219 Broadway, the work to be done at his own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, December 11, 1877.

Approved by the Mayor, December 19, 1877.

Resolved, That permission be and the same is hereby given to A. Heller & Brother, to place and keep two ornamental lamp-posts and lamps, not to exceed the dimensions prescribed by ordinance, inside the stoop-line, in front of No. 4 Union square, provided the work be done and gas supplied at their own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, December 11, 1877.

Approved by the Mayor, December 19, 1877.

Resolved, That David De Venny be and he is hereby reappointed a Commissioner of Deeds in and for the City and County of New York, his term of office expiring December 30, 1877.

Adopted by the Board of Aldermen, December 18, 1877.

Approved by the Mayor, December 19, 1877.

Resolved, That two Boulevard lamps be substituted for the ordinary street lamps on the lamp-posts now in front of the German Protestant Church on the corner of Madison and Montgomery streets, under the direction of the Commissioner of Public Works.

Adopted by the Board of Aldermen, December 14, 1877.

Approved by the Mayor, December 20, 1877.

Resolved, That permission be and the same is hereby given to John Muller to erect two posts, to hang meat, in front of his premises, No. 82 Mulberry street, he having obtained permission from the owner of the premises, the work to be done at his own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, December 4, 1877.

Approved by the Mayor, December 14, 1877.



Notices for fire-escapes served..... 48

Operations for the week ending Dec. 22, 1877 :	
Buildings reported for fire-escapes.....	29
Fire-escapes provided.....	31
Arch girders tested (approved).....	9
“ (not approved).....	..
Iron beams tested (approved).....	8
“ (not approved).....	..
Iron lintels tested (approved).....	..
“ (not approved).....	..

NO. 301 MOTT STREET.  
Commissioners' Office, second floor, 9 A. M. to 4 P. M.;  
Attorney's Office, third floor, 9 A. M. to 4 P. M.

SAMUEL A. LEWIS,  
GEORGE HALL,  
HENRY E. HOWLAND,  
Committee on Law Department.

TO CONTRACTORS.

loaded upon the scows of the Department or upon piers or bulkheads, at such point or points along the North river water-front, south of Fourteenth street, as shall be designated, from time to time by the Engineer.



All material will be measured, in bulk, on board the vessels of the contractor, at the place of delivery.

The foregoing are the quantities which have been estimated approximately for the construction of that part of the bulkhead or river wall proposed to be completed during the next calendar year. They form, however, no part of the contract, and persons bidding are cautioned that the Department of Docks do not hold themselves responsible that any of them shall strictly obtain in the construction of the work, and reserve the right to terminate the contract at any time after the delivery of the following quantities, to wit:

- Class 1.—A. 5,000 cubic yards.
- B. 5,000 cubic yards.
- Class 2.—1,000 cubic yards.
- Class 3.—500 cubic yards.

Any bidder for this contract must be known to be engaged in and well prepared for the business, and shall give security for the faithful performance of his contract, in the manner prescribed and required by ordinance, in the sum of ten thousand dollars, in case the whole contract shall be awarded to him; or in the sum of eight thousand dollars for the contract for small cobble and rip-rap stone only; or in the sum of two thousand dollars for the contract for broken stone only; or in the sum of five hundred dollars for the contract for sand only.

This contract is to cease and terminate on the 27th day of December, 1878, and a penalty of fifty dollars per day, as liquidated damages, will be exacted for each day that the delivery of any part of the said materials has been delayed through neglect to furnish the same within ten days after the receipt of the necessary order therefor, Sundays and holidays not to be excepted.

Bidders will state in their proposals the price per cubic yard, for either or all of the above three classes of materials, respectively, by which the bids will be tested. The price is to cover the expenses of freight, loading and unloading, towing, tools, run-ways, and all other expenses necessary for the complete fulfillment of the contract.

Bidders will write out the price bid, in addition to inserting the same in figures.

Should the lowest bidder or bidders neglect or refuse to accept this contract within forty-eight (48) hours after written notice that the same has been awarded to him or their bid, or if after acceptance, he or they should refuse or neglect to execute the contract for forty-eight hours after notice that the same is ready for execution, he or they shall be considered as having abandoned it, and as in default to the Corporation; and the contract will be readvertised and relet, and so on until it be accepted and executed.

Bidders are required to state in their proposals their names and places of residence, the names of all persons interested with them therein; and if no other person be so interested, the proposal shall distinctly state that fact; also that the bid is made without any connection with any other person making any estimate for the same material, and that it is in all respects fair, and without collusion or fraud; and also that no member of the Common Council, head of a department, chief of a bureau, deputy thereof, or clerk therein, or other officer of the Corporation is directly or indirectly interested therein, or in the supplies or work to which it relates, or in any portion of the profits thereof; which proposals must be verified by the oath, in writing, of the party making the estimate, that the several matters stated therein are in all respects true. Where more than one person is interested, it is requisite that the verification be made and subscribed by all the parties interested.

Each proposal shall be accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded to the person or persons making the bid, they will, on its being so awarded, become bound as his or their sureties for its faithful performance; and that if said person or persons shall omit or refuse to execute the contract, they will pay to the Corporation any difference between the sum to which said person or persons would be entitled on its completion, and that which the Corporation may be obliged to pay to the person to whom the contract shall be awarded at any subsequent letting; the amount in each case to be calculated upon the estimated amount of the work by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of the contract, and stated in the proposals, over and above all his debts of every nature, and over and above his liabilities as bail, surety and otherwise; and that he has offered himself as surety in good faith and with the intention to execute the bond required by section 27 of chapter VIII. of the Revised Ordinances of the City of New York, if the contract shall be awarded to the person for whom he consents to become surety. The adequacy and sufficiency of the sureties offered are to be approved by the Comptroller of the City of New York after the award is made and prior to the signing of the contract.

Bidders are informed that no deviation from the specifications will be allowed, unless under the written instructions of the Engineer-in-Chief.

No proposal will be accepted from, or contract awarded to, any person who is in arrears to the Corporation, upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

The right to decline all the proposals is reserved, if deemed for the interest of the Corporation.

Bidders are requested, in making their bids, to use the blank prepared for that purpose by the Department, a copy of which, together with the form of the agreement, including specifications, and showing the manner of payment for the material, can be had upon application at the office of the Department, Room No. 6.

JACOB A. WESTERVELT,  
HENRY F. DIMOCK,  
JACOB VANDERPOEL,  
Commissioners of the Department of Docks.

## DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, December 10, 1877.

IN ACCORDANCE WITH AN ORDINANCE OF the Common Council, "In relation to the burial of strangers or unknown persons who may die in any of the public institutions of the City of New York," the Commissioners of Public Charities and Correction report as follows:

At N. Y. City Asylum for Insane, Ward's Island, Dennis Marrow; aged 65 years; 5 feet 5 inches high; blue eyes; brown hair. Had on when admitted, dark mixed pants and vest, straw hat. Nothing known of his friends or relatives.

At Randall's Island Hospital, Mary Farrell; aged 55 years; 5 feet 4 inches high; grey hair; brown eyes. Had on when admitted, striped shawl, grey skirt, blue sacque, flannel petticoat, muslin chemise, gaiters. Nothing known of her friends or relatives.

At Hart's Island Hospital, Joseph Leopoldberger; aged 50 years; 5 feet 7 inches high; grey eyes; light hair. Had on when admitted, light cloth coat, cardigan jacket, light pants, dark vest, felt hat, shoes. Nothing known of his friends or relatives.

By Order,  
JOSHUA PHILLIPS,  
Secretary.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, December 21, 1877.

## PROPOSALS FOR 3,000 BARRELS OF FLOUR.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M. of Saturday, January 5, 1878, at which time they will be publicly opened and read by the head of said Department, for furnishing and delivering at the Bakers

house, Blackwell's Island, free of all expense to the Department—

3,000 barrels of good extra Wheat Flour, to be equal in quality to samples to be seen at this office (empty barrels to be returned and deducted in proposals from the price of flour), to be delivered in quantities as required, free of all expense to the Department.

The award of the contract will be made as soon as practicable after the opening of the bids.

No proposal will be considered unless accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded under that proposal, they will, on its being so awarded, become bound as sureties in the estimated amount of fifty per cent. for its faithful performance, which consent must be verified by the justification of each of the persons signing the same for double the amount of surety required. The sufficiency of such security to be approved by the Comptroller.

The Department of Public Charities and Correction reserve the right to decline any and all proposals if deemed to be for the public interest, and to accept an offer for the whole bid or for any single article included in the proposal, and no proposal will be accepted from, or a contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is defaulter, as security or otherwise, upon any obligation to the Corporation.

Blank forms of proposals and specifications, which are to be strictly complied with, can be obtained on application at the office of the Department, and all information furnished.

THOMAS S. BRENNAN,  
ISAAC H. BAILEY,  
TOWNSEND COX,  
Commissioners.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, December 21, 1877.

## PROPOSALS FOR 5,000 TONS OF WHITE ASH STOVE COAL FOR THE OUT-DOOR POOR, AND CARTING SAME.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M. of Saturday, January 5, 1878, at which time they will be publicly opened and read by the head of said Department, for 5,000 tons White Ash Stove Coal, of the best quality; to be delivered in cargoes alongside such piers on the east and west side of the city, and at such times as the Commissioners may direct. Each ton to consist of 2,240 pounds.

Also, proposals for carting and delivering said coal, in such quantities and in such parts of the city as the Commissioners may direct.

The award of the contract will be made as soon as practicable after the opening of the bids.

No proposal will be considered unless accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded under that proposal, they will, on its being so awarded, become bound as sureties in the estimated amount of fifty per cent. for its faithful performance, which consent must be verified by the justification of each of the persons signing the same for double the amount of surety required. The sufficiency of such security to be approved by the Comptroller.

The Department of Public Charities and Correction reserve the right to decline any and all proposals if deemed to be for the public interest, and to accept an offer for the whole bid or for any single article included in the proposal, and no proposal will be accepted from, or a contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is defaulter, as security or otherwise, upon any obligation to the Corporation.

Blank forms of proposals and specifications, which are to be strictly complied with, can be obtained on application at the office of the Department, and all information furnished.

THOMAS S. BRENNAN,  
ISAAC H. BAILEY,  
TOWNSEND COX,  
Commissioners.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, December 21, 1877.

## PROPOSALS FOR 17,150 TONS WHITE ASH COAL.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M. of Saturday, January 5, 1878, at which time they will be publicly opened and read by the head of said Department, for furnishing and delivering 17,150 tons of White Ash Coal, of the best quality; to be well screened and in good order. Each ton to consist of 2,240 pounds. None other will be accepted. All of said coal to be delivered as required, in about the following sizes and quantities, free of all expense, at the following places:

- At Blackwell's Island—
- 5,000 tons grate size.
- 250 tons stove size.
- At Ward's Island—
- 4,000 tons grate size.
- At Bellevue Hospital—
- 2,000 tons grate size.
- 250 tons stove size.
- At Hart's Island—
- 500 tons egg size.
- At Randall's Island—
- 1,800 tons egg size.
- 500 tons stove size.
- 200 tons nut size.
- At City Prisons—
- 600 tons egg size.
- At Steamboat Dock, foot of East Twenty-sixth street, for use of steamboats, in cargoes of about 200 tons per month—
- 2,000 tons grate size.
- At No. 66 Third avenue—
- 50 tons egg size.

Proposals to state the particular description of coal to be delivered as known in the market, from what mine produced, and all particulars, to enable the Board to arrive at a proper decision.

The award of the contract will be made as soon as practicable after the opening of the bids.

No proposal will be considered unless accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded under that proposal, they will, on its being so awarded, become bound as sureties in the estimated amount of fifty per cent. for its faithful performance, which consent must be verified by the justification of each of the persons signing the same for double the amount of surety required. The sufficiency of such security to be approved by the Comptroller.

The Department of Public Charities and Correction reserve the right to decline any and all proposals if deemed to be for the public interest, and to accept an offer for the whole bid or for any single article included in the proposal, and no proposal will be accepted from, or a contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is defaulter, as security or otherwise, upon any obligation to the Corporation.

Blank forms of proposals and specifications, which are to be strictly complied with, can be obtained on application at the office of the Department, and all information furnished.

THOMAS S. BRENNAN,  
ISAAC H. BAILEY,  
TOWNSEND COX,  
Commissioners.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, December 20, 1877.

IN ACCORDANCE WITH AN ORDINANCE OF the Common Council, "In relation to the burial of strangers or unknown persons who may die in any of the public institutions of the City of New York," the Commissioners of Public Charities and Correction report as follows:

At Morgue, Bellevue Hospital, from Pier 42 North river. Unknown man; aged about 50 years; 5 feet 8 inches high; dark hair; short grey beard. Had on dark diagonal pants, white ribbed drawers, white merino undershirt, white shirt, grey woolen socks, canvas leg boots, body about six weeks in water.

By Order,  
JOSHUA PHILLIPS,  
Secretary.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, December 17, 1877.

IN ACCORDANCE WITH AN ORDINANCE OF the Common Council, "In relation to the burial of strangers or unknown persons who may die in any of the public institutions of the City of New York," the Commissioners of Public Charities and Correction report as follows:

At Idiot Asylum, Randall's Island, December 15, 1877—Mary N. Austin; aged 24 years. Admitted October 12, 1868. Nothing known of her friends or relatives.

By Order,  
JOSHUA PHILLIPS,  
Secretary.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, December 21, 1877.

## PROPOSALS FOR DRY GOODS, GROCERIES, HARDWARE, LEATHER, ETC.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M. of Saturday, January 5, 1877, at which time they will be publicly opened and read by the head of said Department, for furnishing and delivering, at the foot of East Twenty-sixth street, free of all expense to the Department—

- DRY GOODS.
- 5,000 yds. Cottonades.
- 2,000 yds. Prints.
- 1,000 yds. Diaper.
- 5 bales Red Flannel.
- 500 yds. Huckaback Toweling.
- 10,000 yds. Jeans.
- 5,000 yds. Linen Drills.
- 60,000 yds. 4-4 Brown Muslin.
- 20,000 yds. 4-4 Muslin.
- 2,000 yds. 4-4 Bleached Muslin.
- 3,000 yds. 4-4 Shroud Muslin.
- 3,000 yds. Striped Prison Cloth.
- 2,000 yds. Plain Prison Cloth.
- 5,000 yds. Awning Stripes.
- 10,000 yds. Ticking.
- 2,500 lbs. Knitting Cotton.
- 3,000 Toilet Quills.

- GROCERIES.
- 100,000 lbs. Brown Sugar.
- 5,000 lbs. "C" Coffee Sugar.
- 5,000 lbs. Crushed Sugar.
- 5,000 lbs. Granulated Sugar.
- 80,000 lbs. Brown Soap.
- 10,000 lbs. Pearl Barley.
- 20,000 lbs. Rio Coffee.
- 10,000 lbs. Oolong Tea.
- 5,000 lbs. Soda Crackers, barrels to be returned.
- 2,500 lbs. Chi. corn.
- 500 lbs. Farina.
- 500 lbs. Macaroni.
- 2,000 lbs. Pepper.
- 20,000 lbs. Rice.
- 500 lbs. Prepared Cocoa.
- 40 boxes Laundry Starch.
- 500 lbs. Corn Starch.
- 500 bushels Rye.
- 50 bbls. Syrup.
- 5,000 gallons Molasses.
- 250 sacks Salt, equal to Worthington.
- 20 bbls. Wheaten Grits.
- 100 bbls. Hominy, A No. 1.
- 100 bbls. Oatmeal.
- 250 bushels Beans.
- 250 bushels Peas.
- 25 bbls. Pure Cider Vinegar.
- 300 quintals Codfish, George's Banks, best quality, to be delivered in quantities as required.

- HARDWARE AND TIN.
- 20 gross Knives and Forks.
- 20 gross Table Spoons.
- 20 gross Tea Spoons.
- 20 doz. 14-inch Flat Bastard Files.
- 20 doz. 14-inch Half-Round Bastard Files.
- 200 kegs Cut Nails, viz.:
  - 25 kegs 6d; 25 kegs 8d; 50 kegs 10d; 50 kegs 12d; 25 kegs 20d; 25 kegs 40d.
- 20 kegs Wrought Nails (10 each, 2½-in, 3-in).
- 25 boxes 10 x 14 IX Charcoal Tin.
- 25 boxes 14 x 20 XX Charcoal Tin.
- 1,000 lbs. Block Tin.

- LEATHER AND FINDINGS.
- 1,000 sides good damaged Sole Leather, to average 18 lbs., well tanned, and from a hide not inferior in quality to California.
- 1,000 sides Waxed Upper Leather.
- 1,000 sides Waxed Kip Leather.
- 500 lbs. Swedes' Iron Shoe-nails, 4-8.
- 1,000 " " 5-8.
- 1,000 " " 6-8.
- 2 gross Patent Awl Hafs.
- 10 gross Sewing Awls.
- 20 gross Peg Awls.
- 100 lbs. Eyelets.
- 100 gross Shoe Binding.
- 100 lbs. 2-oz. Tacks.
- 20 doz. Shoe Rasps.
- 100 lbs. Barbour's No. 10 Shoe Thread.
- 12 doz. Shoe Ink (quarts).
- 100 gross Cotton Shoe Laces.
- 200 bundles Leather Laces.
- 50 bushels Shoe Pegs, each, 4-12, 5-12, 6-11.

- STRAW.
- 1,000 bales Long Rye Straw, to be delivered in quantities as required.

- PAINTS.
- 10,000 lbs. Pure White Lead—120, 25; 60, 50; 40, 200 pounds.
- 1 bbl. Japan Dryer.
- 500 lbs. Patent Dryer, in ss.

The quality of the goods furnished must conform in every respect to the samples of the above to be seen at this office.

The award of the contract will be made as soon as practicable after the opening of the bids.

No proposal will be considered unless accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded under that proposal, they will, on its being so awarded, become bound as sureties in the estimated amount of fifty per cent. for its faithful performance, which consent must be verified by the justification of each of the persons signing the same for double the

amount of surety required. The sufficiency of such security to be approved by the Comptroller.

The Department of Public Charities and Correction reserve the right to decline any and all proposals if deemed to be for the public interest, and to accept an offer for the whole bid or for any single article included in the proposal, and no proposal will be accepted from, or a contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is defaulter, as security or otherwise, upon any obligation to the Corporation.

Blank forms of proposals and specifications, which are to be strictly complied with, can be obtained on application at the office of the Department, and all information furnished.

THOMAS S. BRENNAN,  
ISAAC H. BAILEY,  
TOWNSEND COX,  
Commissioners.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, December 13, 1877.

## PROPOSALS FOR CONDENSED MILK.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M. of Thursday, December 27, 1877, at which time they will be publicly opened and read by the head of said Department, for supplying the institutions under their charge with condensed milk of the best quality, from the first day of January, 1878, up to and including the thirty-first day of December, 1878.

Parties proposing for the above will submit samples for examination and analysis, and the milk selected will be the standard for future delivery. The milk delivered under the contract will be analyzed by a competent chemist at such times as the Commissioners may determine.

The above to be delivered daily at the foot of Twenty-sixth street, East river, or at such other places as may be required, free of all expense to the Department.

The award of the contract will be made as soon as practicable after the opening of the bids.

No proposal will be considered unless accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded under that proposal, they will, on its being so awarded, become bound as sureties in the estimated amount of fifty per cent. for its faithful performance, which consent must be verified by the justification of each of the persons signing the same for double the amount of surety required. The sufficiency of such security to be approved by the Comptroller.

The Department of Public Charities and Correction reserve the right to decline any and all proposals if deemed to be for the public interest, and to accept an offer for the whole bid, or for any single article included in the proposal, and no proposal will be accepted from, or a contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is defaulter, as security or otherwise, upon any obligation to the Corporation.

Blank forms of proposals and specifications, which are to be strictly complied with, can be obtained on application to the office of the Department, and all information furnished.

THOMAS S. BRENNAN,  
ISAAC H. BAILEY,  
TOWNSEND COX,  
Commissioners.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, December 13, 1877.

## PROPOSALS FOR FRESH BEEF, MUTTON, VEAL, PORK, AND CORNED BEEF.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M. of Thursday, December 27, 1877, at which time they will be publicly opened and read by the head of said Department, for furnishing and delivering daily, from the first day of January, 1878, up to and including the thirty-first day of December, 1878, at the foot of East Twenty-sixth street, and at such other places as may be required, free of all expense—

Fresh Beef and Mutton, and for the use of the officers and employees of the various institutions, Fresh Beef, Mutton, Veal, Pork, and Corned Beef.

The award of the contract will be made as soon as practicable after the opening of the bids.

No proposal will be considered unless accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded under that proposal, they will, on its being so awarded, become bound as sureties in the estimated amount of fifty per cent. for its faithful performance, which consent must be verified by the justification of each of the persons signing the same for double the amount of surety required. The sufficiency of such security to be approved by the Comptroller.

The Department of Public Charities and Correction reserve the right to decline any and all proposals if deemed to be for the public interest, and to accept an offer for the whole bid or for any single article included in the proposal, and no proposal will be accepted from, or a contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is defaulter, as security or otherwise, upon any obligation to the Corporation.

Blank forms of proposals and specifications, which are to be strictly complied with, can be obtained on application at the office of the Department, and all information furnished.

THOMAS S. BRENNAN,  
ISAAC H. BAILEY,  
TOWNSEND COX,  
Commissioners.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, December 13, 1877.

## PROPOSALS FOR FRESH FISH.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M. of Thursday, December 27, 1877, at which time they will be publicly opened and read, by the head of said Department, for furnishing and delivering, from the first day of January, 1878, up to and including the thirty-first day of December, 1878, at the foot of East Twenty-sixth street, and at such other places as may be required, free of all expense—

Fresh Cod, Porgies, and Blue Fish.

The award of the contract will be made as soon as practicable after the opening of the bids.

No proposal will be considered unless accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded under that proposal, they will, on its being so awarded, become bound as sureties in the estimated amount of fifty per cent. for its faithful performance, which consent must be verified by the justification of each of the persons signing the same for double the amount of surety required. The sufficiency of such security to be approved by the Comptroller.

The Department of Public Charities and Correction reserve the right to decline any and all proposals if deemed to be for the public interest, and to accept an offer for the



whole bid or for any single article included in the proposal, and no proposal will be accepted from, or a contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is defaulter, as security or otherwise, upon any obligation to the Corporation.

Blank forms of proposals and specifications, which are to be strictly complied with, can be obtained on application at the office of the Department, and all information furnished.

THOMAS S. BRENNAN,  
ISAAC H. BAILEY,  
TOWNSEND COX,  
Commissioners.

## FINANCE DEPARTMENT.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
No. 16 NEW COURT-HOUSE, CITY HALL PARK,  
NEW YORK, December 21, 1877.

### NOTICE TO PROPERTY-HOLDERS.

PROPERTY-HOLDERS ARE HEREBY NOTIFIED that the following assessment list was received this day in this Bureau for collection:

CONFIRMED AND ENTERED DECEMBER 15, 1877.

56th street, paving, from Madison to 4th avenue.  
100th street, paving, from 8th to 10th avenue.  
152d street, paving, from St. Nicholas avenue to the Boulevard.  
79th street, regulating and paving, from 9th avenue to Hudson river.

All payments made on the above assessments on or before February 19, 1878, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

The Collector's office is open daily from 9 A. M. to 2 P. M., for the collection of money, and until 4 P. M. for general information.

EDWARD GILON,  
Collector of Assessments.

### WILLIAM KENNELLY, AUCTIONEER.

CORPORATION SALE OF LEASE OF THE HAY SCALES AT TOMPKINS MARKET.

THE LEASE OF THE HAY SCALES AT TOMPKINS MARKET until May 1, 1879, will be sold at public auction at the new Court-house, on Thursday, December 13, 1877, at 12 o'clock noon.

#### TERMS OF SALE.

Twenty per cent. on the yearly rent bid to be paid to the Collector of City Revenue at the time and place of sale; and the successful bidder will be required, at the same time, to have an obligation executed by two sureties, to be approved by the Comptroller, for carrying into effect the terms of sale.

Twenty per cent., when paid, will be credited on the first quarter's rent; or forfeited, if the lessee does not execute the lease and bond within fifteen days after the sale; and the Comptroller shall be authorized, at his option, to resell the premises bid off by those failing to comply with the terms as above; and the party so failing to comply to be liable for any deficiency that may result from such resale.

No person will be received as lessee or surety who is delinquent on any former lease from the Corporation. No bid will be accepted from any person who is in arrears to the Corporation upon debt or contract, or who is a defaulter, as security or otherwise, upon any obligation to the Corporation. (Sec. 99 of Charter of 1873.)

The lease will contain the usual covenants and conditions, reserving to the Corporation the right to cancel the lease whenever the premises may be required by them for public purposes.

All repairs will be made at the expense of the lessees, and no deduction whatever will be allowed for damage by reason of any sickness or epidemic that may prevail in the city during the continuance of the lease.

The lessees will be required to give a bond for double the amount of the annual rent, with two sureties, to be approved by the Comptroller, conditioned for the payment of the rent quarter-yearly, and the fulfillment on their part of the covenants of the lease.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, December 7, 1877.

The above sale is adjourned to Thursday, December 27, 1877, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, December 13, 1877.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF TAXES,  
COURT-HOUSE, PARK, No. 32 CHAMBERS STREET,  
NEW YORK, December 1, 1877.

### NOTICE TO TAX-PAYERS.

ALL PERSONS WHO HAVE OMITTED TO PAY their taxes for the year 1877, are hereby notified, as required by law, to pay the same to the Receiver of Taxes, at his office, on or before the 1st day of January, 1878.

One per cent. will be collected on all taxes before the 15th day of December instant, two per cent. on all taxes paid on and after that date, and interest at the rate of 12 per cent. per annum, computed from the 15th of October last (the day on which the assessment rolls and warrants were delivered to the Receiver), on all taxes remaining unpaid on and after the said 1st day of January, 1878.

No money will be received after 2 o'clock P. M. Office hours, from 8 A. M. to 2 P. M.

MARTIN T. McMAHON,  
Receiver of Taxes.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
No. 16 NEW COURT-HOUSE, CITY HALL PARK,  
NEW YORK, December 6, 1877.

### NOTICE TO PROPERTY-HOLDERS.

PROPERTY-HOLDERS ARE HEREBY NOTIFIED that the following assessment lists were received this day in this Bureau for collection:

CONFIRMED AND ENTERED NOVEMBER 30, 1877.

76th street, regulating, grading, etc., from 8th avenue to Riverside Drive.  
West street, flagging (full width on east side), from Horatio to Gansevoort street.  
109th street, curb, gutter, and flagging, from 3d to 5th avenue.  
173d street, flagging (north side), from 3d to Railroad avenue (Twenty-third Ward).  
Waverly place, sewer, between Charles and Perry streets.

44th street sewer, between 2d and 3d avenues.  
West 59th street, sewer extension.  
103d street, sewer, between 4th and Lexington avenues.  
South street, basin, northwest corner Corlears street.  
145th street, lamp-posts, between Willis and St. Ann's avenues (Twenty-third Ward).

90th street, paving, from 7d to 5th avenue.  
92d street, paving, from 8th avenue to Boulevard.  
All payments made on the above assessments on or before February 4, 1878, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

The Collector's office is open daily from 9 A. M. to 2 P. M., or the collection of money, and until 4 P. M., for general information.

EDWARD GILON,  
Collector of Assessments

### WILLIAM KENNELLY, AUCTIONEER.

#### SALE OF FERRY FRANCHISES.

THE FRANCHISES TO RUN THE FOLLOWING ferries and a lease of the wharf property belonging to the city, if any, set apart for ferry purposes at each of said ferries, will be sold at public auction to the highest bidder, at the office of the Comptroller of the City of New York, on Thursday, November 8, 1877, at 12 o'clock, noon, for the period of five years from November 1, 1877, except as otherwise stated:

Ferry from Peck Slip, New York City, to the foot of One Hundred and Thirtieth street at Third avenue, Harlem, with an intermediate landing at or near Eighty-fourth street, East river.

Ferry from Fulton Market slip, New York City, to Mott Haven, with an intermediate landing at or near Eighty-fourth street, East river, until May 1, 1879.

Ferry as now established from foot of Roosevelt street, in the City of New York, East river, to South Seventh street, Brooklyn, Eastern District, together with the bulkheads and slips adjacent to and east of the wharf property at foot of Roosevelt street, East river, owned by the Bridge Company, and now occupied for said ferry.

Bidders must bid for the franchise and lease of wharf property of each ferry separately, but no bid will be received unless it includes an offer for both the ferry franchise and wharf property.

The form of the lease required to be executed by the highest bidder can be seen at the office of the Comptroller.

All bids will be regarded as made with reference to said form of lease, and in case the highest bidder shall neglect to execute a lease according to said form, for ten days after said sale, his bid will, at the option of the Comptroller and the Board of the Department of Docks, be rejected.

The leases will contain a covenant requiring the lessees to pay rent quarter-yearly to the Comptroller.

The minimum rate for which the ferry franchise or license to operate such ferries shall be used or enjoyed has been appraised and set by the Commissioners of the Sinking Fund at five per cent. per annum upon the gross receipts for ferriage collected at the New York landing-place for the ferry as now established from the foot of Roosevelt street, New York, to South Seventh street, Brooklyn, and at two and one-half per cent. per annum upon the gross receipts collected for ferriage for the ferries from Peck Slip, New York, to the foot of One Hundred and Thirtieth street, Third avenue, Harlem; and from Fulton Market slip, New York, to Mott Haven, such percentage to be paid quarter-yearly to the Corporation, and a covenant will be contained in each lease requiring the lessees to make and deliver to the Comptroller of the City of New York, quarter-yearly, a statement in writing, verified by oath or affirmation of the lessee, or of such proper officer of the lessee as may be designated by the Comptroller, of the actual total gross receipts for ferriage received by such lessee during the preceding three months, and also, that the lessee shall keep regular books of account, showing the daily gross receipts of the ferry leased, and allow said Comptroller, or any person designated by him, to examine such books.

The franchise will be put up and knocked down to the person offering to pay the largest percentage.

All moneys received for the conveyance of passengers, animals, vehicles, or freight from New York to be collected at the landing place in New York, or, if collected elsewhere, to be included in the receipts upon which such percentage is to be calculated and paid.

No bid less than such percentage on such gross receipts will be entertained.

The successful bidder will be required to pay to the Collector of City Revenue the sum of fifteen hundred dollars immediately after the franchise shall have been struck down to him, as security for the execution and performance of the lease, such amount to be credited on the rent when the same becomes due.

Security, satisfactory to the Comptroller, will be required for the punctual performance by the lessees of the covenants of the lease of the franchise in their behalf.

Each purchaser of a lease will be required, at the time of the sale, and in addition to the auctioneer's fees, to pay to the Department of Docks twenty-five per cent. of the amount of the annual rent bid for the wharf property, as security for the execution of the lease, and which twenty-five per cent. will be applied to the payment of the rent for such property first accruing under the lease, when executed, or forfeited if the lessee neglects or refuses to execute the lease and bond after being duly notified that the lease is prepared and ready for signature, or, in case the bid is finally rejected, will be returned to the bidder.

Lessees will be required to pay their rent for the wharf property quarterly, in advance, in compliance with a stipulation therefor in the form of the lease adopted.

The franchise and the lease of the wharf property, if any, of each ferry will be put up and sold together to the highest bidder, subject to the condition hereinafter expressed, and subject also to the right of the Comptroller and the Board of the Department of Docks to reject any or all bids, if deemed to be for the interest of the city.

The right to reject any bid, if deemed to be to the interest of the City of New York, is reserved by the Commissioners of the Sinking Fund.

By order of the Commissioners of the Sinking Fund.

JOHN KELLY,  
Comptroller.

JACOB A. WESTERVELT,  
HENRY F. DIMOCK,  
JACOB VANDERPOEL,  
Board of Department of Docks.

COMPTROLLER'S OFFICE,  
NEW YORK, November 1, 1877.

The above sale is adjourned to Thursday, November 15, 1877, at 12 o'clock, noon, at the same place.

COMPTROLLER'S OFFICE,  
NEW YORK, November 8, 1877.

The above sale is adjourned to Thursday, November 22, 1877, at 12 o'clock, noon, at the same place.

COMPTROLLER'S OFFICE,  
NEW YORK, November 15, 1877.

The above sale is adjourned to Thursday, December 13, 1877, at 12 o'clock, noon, at the same place.

COMPTROLLER'S OFFICE,  
NEW YORK, December 13, 1877.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF TAXES,  
COURT-HOUSE, PARK, No. 32 CHAMBERS STREET,  
NEW YORK, December 1, 1877.

### NOTICE TO TAX-PAYERS.

ALL PERSONS WHO HAVE OMITTED TO PAY their taxes for the year 1877, are hereby notified, as required by law, to pay the same to the Receiver of Taxes, at his office, on or before the 1st day of January, 1878.

One per cent. will be collected on all taxes before the 15th day of December instant, two per cent. on all taxes paid on and after that date, and interest at the rate of 12 per cent. per annum, computed from the 15th of October last (the day on which the assessment rolls and warrants were delivered to the Receiver), on all taxes remaining unpaid on and after the said 1st day of January, 1878.

No money will be received after 2 o'clock P. M. Office hours, from 8 A. M. to 2 P. M.

MARTIN T. McMAHON,  
Receiver of Taxes.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
No. 16 NEW COURT-HOUSE, CITY HALL PARK,  
NEW YORK, December 6, 1877.

### NOTICE TO PROPERTY-HOLDERS.

PROPERTY-HOLDERS ARE HEREBY NOTIFIED that the following assessment lists were received this day in this Bureau for collection:

CONFIRMED AND ENTERED NOVEMBER 30, 1877.

76th street, regulating, grading, etc., from 8th avenue to Riverside Drive.  
West street, flagging (full width on east side), from Horatio to Gansevoort street.  
109th street, curb, gutter, and flagging, from 3d to 5th avenue.  
173d street, flagging (north side), from 3d to Railroad avenue (Twenty-third Ward).  
Waverly place, sewer, between Charles and Perry streets.

44th street sewer, between 2d and 3d avenues.  
West 59th street, sewer extension.  
103d street, sewer, between 4th and Lexington avenues.  
South street, basin, northwest corner Corlears street.  
145th street, lamp-posts, between Willis and St. Ann's avenues (Twenty-third Ward).

90th street, paving, from 7d to 5th avenue.  
92d street, paving, from 8th avenue to Boulevard.  
All payments made on the above assessments on or before February 4, 1878, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

The Collector's office is open daily from 9 A. M. to 2 P. M., or the collection of money, and until 4 P. M., for general information.

EDWARD GILON,  
Collector of Assessments

### WILLIAM KENNELLY, AUCTIONEER.

#### SALE OF FERRY FRANCHISES.

THE FRANCHISES TO RUN THE FOLLOWING ferries and a lease of the wharf property belonging to the city, if any, set apart for ferry purposes at each of said ferries, will be sold at public auction to the highest bidder, at the office of the Comptroller of the City of New York, on Thursday, November 8, 1877, at 12 o'clock, noon, for the period of five years from November 1, 1877, except as otherwise stated:

Ferry from Peck Slip, New York City, to the foot of One Hundred and Thirtieth street at Third avenue, Harlem, with an intermediate landing at or near Eighty-fourth street, East river.

Ferry from Fulton Market slip, New York City, to Mott Haven, with an intermediate landing at or near Eighty-fourth street, East river, until May 1, 1879.

Ferry as now established from foot of Roosevelt street, in the City of New York, East river, to South Seventh street, Brooklyn, Eastern District, together with the bulkheads and slips adjacent to and east of the wharf property at foot of Roosevelt street, East river, owned by the Bridge Company, and now occupied for said ferry.

Bidders must bid for the franchise and lease of wharf property of each ferry separately, but no bid will be received unless it includes an offer for both the ferry franchise and wharf property.

The form of the lease required to be executed by the highest bidder can be seen at the office of the Comptroller.

All bids will be regarded as made with reference to said form of lease, and in case the highest bidder shall neglect to execute a lease according to said form, for ten days after said sale, his bid will, at the option of the Comptroller and the Board of the Department of Docks, be rejected.

The leases will contain a covenant requiring the lessees to pay rent quarter-yearly to the Comptroller.

The minimum rate for which the ferry franchise or license to operate such ferries shall be used or enjoyed has been appraised and set by the Commissioners of the Sinking Fund at five per cent. per annum upon the gross receipts for ferriage collected at the New York landing-place for the ferry as now established from the foot of Roosevelt street, New York, to South Seventh street, Brooklyn, and at two and one-half per cent. per annum upon the gross receipts collected for ferriage for the ferries from Peck Slip, New York, to the foot of One Hundred and Thirtieth street, Third avenue, Harlem; and from Fulton Market slip, New York, to Mott Haven, such percentage to be paid quarter-yearly to the Corporation, and a covenant will be contained in each lease requiring the lessees to make and deliver to the Comptroller of the City of New York, quarter-yearly, a statement in writing, verified by oath or affirmation of the lessee, or of such proper officer of the lessee as may be designated by the Comptroller, of the actual total gross receipts for ferriage received by such lessee during the preceding three months, and also, that the lessee shall keep regular books of account, showing the daily gross receipts of the ferry leased, and allow said Comptroller, or any person designated by him, to examine such books.

The franchise will be put up and knocked down to the person offering to pay the largest percentage.

All moneys received for the conveyance of passengers, animals, vehicles, or freight from New York to be collected at the landing place in New York, or, if collected elsewhere, to be included in the receipts upon which such percentage is to be calculated and paid.

No bid less than such percentage on such gross receipts will be entertained.

The successful bidder will be required to pay to the Collector of City Revenue the sum of fifteen hundred dollars immediately after the franchise shall have been struck down to him, as security for the execution and performance of the lease, such amount to be credited on the rent when the same becomes due.

Security, satisfactory to the Comptroller, will be required for the punctual performance by the lessees of the covenants of the lease of the franchise in their behalf.

Each purchaser of a lease will be required, at the time of the sale, and in addition to the auctioneer's fees, to pay to the Department of Docks twenty-five per cent. of the amount of the annual rent bid for the wharf property, as security for the execution of the lease, and which twenty-five per cent. will be applied to the payment of the rent for such property first accruing under the lease, when executed, or forfeited if the lessee neglects or refuses to execute the lease and bond after being duly notified that the lease is prepared and ready for signature, or, in case the bid is finally rejected, will be returned to the bidder.

Lessees will be required to pay their rent for the wharf property quarterly, in advance, in compliance with a stipulation therefor in the form of the lease adopted.

The franchise and the lease of the wharf property, if any, of each ferry will be put up and sold together to the highest bidder, subject to the condition hereinafter expressed, and subject also to the right of the Comptroller and the Board of the Department of Docks to reject any or all bids, if deemed to be for the interest of the city.

The right to reject any bid, if deemed to be to the interest of the City of New York, is reserved by the Commissioners of the Sinking Fund.

By order of the Commissioners of the Sinking Fund.

JOHN KELLY,  
Comptroller.

JACOB A. WESTERVELT,  
HENRY F. DIMOCK,  
JACOB VANDERPOEL,  
Board of Department of Docks.

COMPTROLLER'S OFFICE,  
NEW YORK, November 1, 1877.

The above sale is adjourned to Thursday, November 15, 1877, at 12 o'clock, noon, at the same place.

COMPTROLLER'S OFFICE,  
NEW YORK, November 8, 1877.

The above sale is adjourned to Thursday, November 22, 1877, at 12 o'clock, noon, at the same place.

COMPTROLLER'S OFFICE,  
NEW YORK, November 15, 1877.

The above sale is adjourned to Thursday, December 13, 1877, at 12 o'clock, noon, at the same place.

COMPTROLLER'S OFFICE,  
NEW YORK, December 13, 1877.

### REAL ESTATE RECORDS

THE ATTENTION OF LAWYERS, REAL Estate Owners, Monetary Institutions engaged in making loans upon real estate, and all who are interested in providing themselves with facilities for reducing the cost of examinations and searches, is invited to these Official Indices of Records, containing all recorded transfers of real estate in the City of New York from 1653 to 1875, prepared under the direction of the Commissioners of Records.

Grantees, grantees, suits in equity, insolvents' and Sheriffs' sales, in 61 volumes, full bound, price, \$100 00  
The same, in 25 volumes, half bound, price, 50 00  
Complete sets, folded, ready for binding, price, 15 25  
Records of Judgments, 25 volumes, bound, price, 10 00  
Orders should be addressed to "Mr. Stephen Angell, Comptroller's Office, New County Court-house."

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, February 6, 1877.

### LOCAL ASSESSMENTS—NOTICE TO PROPERTY-OWNERS.

FINANCE DEPARTMENT—COMPTROLLER'S OFFICE,  
NEW YORK, December 10, 1877.

THE COMPTROLLER OF THE CITY OF NEW York hereby gives notice to the owners of property liable to assessments for local improvements, for the expense of which assessments were confirmed prior to the passage of an act of the Legislature entitled, "An act relating to the payment of assessments for local improvements in the City of New York," passed April 17, 1877, that the provision of law contained in the first section of said act authorizing the payment thereof in three annual installments and reducing the rate of interest thereon from 12 to 8 per cent. per annum, expires by limitation on the 31st day of December, 1877, to wit:

"All assessments for local improvements in the City of New York, confirmed prior to the passage of this act, except as provided in section four of this act, may be paid by the person liable to pay the same, in three equal installments, as follows: The first installment on or before the thirty-first day of December, eighteen hundred and seventy-seven, the second installment on or before the thirty-first day of December, eighteen hundred and seventy-eight, and the third installment on or before the thirty-first day of December, eighteen hundred and seventy-nine, with interest at the rate of eight per cent. per annum thereon. But nothing in this section shall prohibit the person liable to pay an assessment from paying the whole amount of such assessment in one payment, under the provisions of law in force prior to the passage of this act."

Under this statute the privilege of paying such assessments in installments, at a lower rate of interest, will cease and determine on the 31st day of December, instant, if the first installment is not paid on or before that day, and the whole assessment will be payable in one payment only, at the rate of twelve per cent. per annum, from the date of confirmation.

JOHN KELLY,  
Comptroller.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
No. 16 NEW COURT-HOUSE, CITY HALL PARK,  
NEW YORK, December 3, 1877.

### NOTICE TO PROPERTY-HOLDERS.

PROPERTY-HOLDERS ARE HEREBY NOTIFIED that the following assessment lists were received this day in this Bureau for collection:

CONFIRMED AND ENTERED NOVEMBER 27, 1877.

Broadway, sewer, between Manhattan and 133d streets.  
130th street, sewer, between Broadway and 10th avenue.  
152d street, sewer, between 10th avenue and Avenue St. Nicholas.

Clinton street, basins, northeast and northwest corners of South street.

Little 12th street, curbing, guttering and flagging, south side, between Washington street and Tenth avenue.

64th street, curbing and guttering, between 8th and 9th avenues.

56th street, flagging, between 6th and 7th avenues.

58th street, flagging, from southeast corner of 9th avenue to 344 W. 58th street.

60th street, flagging, south side, between 1st and 2d avenues.

64th street, flagging, between 8th and 9th avenues.

Marion avenue, flagging, from Kingsbridge road to Ridge street (24th Ward).

Berrian avenue, flagging, west side, from the 2d angle north of Kingsbridge road to Isaac street.

Berrian avenue, crosswalk and flagging, between Kingsbridge road and Isaac street.

4th avenue, paving, from north to south side, 71st street

56th street, " " 6th to 7th avenue.

95th " " " 1st " 2d "

105th " " " 8th avenue to Boulevard.

106th " " " 3d " to Harlem river.

121st " " " 1st " to 4th avenue.

Broadway, fencing vacant lots, from 42d to 50th street.

43d street, fencing vacant lots, south side, between 3d and Lexington avenues.

45th street, fencing vacant lots, north side, between 9th and 10th avenues.

54th street, fencing vacant lots, northwest corner 6th avenue.

60th street, fencing vacant lots, north side, between 10th and 11th avenues.

61d street, fencing vacant lots, north side, between Boulevard and 8th avenue.

71st and 72d streets, fencing vacant lots, between 2d and 3d avenues (block).

73d and 74th streets, fencing vacant lots, between 5th and Madison avenues (block).

83d and 84th streets, fencing vacant lots, between 5th and Madison avenues (block).