

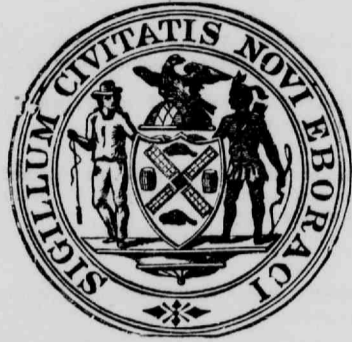
# THE CITY RECORD.

## OFFICIAL JOURNAL.

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### LEGISLATIVE DEPARTMENT.

#### BOARD OF ALDERMEN.

##### STATED SESSION.

TUESDAY, January 31, 1882,  
12 o'clock, M.

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

##### PRESENT:

Hon. William Sauer, President;

##### ALDERMEN

Thomas Brady,  
Michael Duffy,  
Frederick Finck,  
Edward T. Fitzpatrick,  
Augustus Fleishbein,  
James W. Hawes,  
Patrick Keenan,

Patrick Kenney,  
William P. Kirk,  
Ferdinand Levy,  
Bernard F. Martin,  
Joseph J. McAvoy,  
John McClave,

Donald McLean,  
John O'Neil,  
Robert B. Roosevelt,  
John H. Seaman,  
Joseph P. Strack,  
James L. Wells.

On motion of Alderman Strack, the reading of the minutes of the last meeting was dispensed with.

##### INVITATIONS.

An invitation was received from the Gentlemen's Sons Association of the Eleventh Ward, to attend their annual ball, at Ferrero's Assembly Rooms, on the evening of the 7th proximo. Which was accepted.

##### PETITIONS.

By Alderman McClave—

Petition to change grade of Fortieth street, between First avenue and East river. Which was referred to the Committee on Public Works.

By the President—

Petition to pave One Hundred and Thirty-third street, from Fourth to Sixth avenue, with Belgian pavement.

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

GENTLEMEN—The undersigned, owners of property on One Hundred and Thirty-third street, between Fourth and Sixth avenues, respectfully petition your Honorable Body to have said street paved with trap-block pavement.

And your petitioners will ever pray, etc.

E. M. Alburtus, 48 East 133d street, 20 feet.  
R. M. Carrington, 46 East 133d street, 20 feet.  
Sigismund Beeve, 1884 Third avenue (four houses), 50 feet.  
Henry M. Ahrens, 42, 44, 46, and 48 West 133d street, 75 feet.  
Mary E. McCarty, 31 East 133d street, 19 feet.  
J. H. McCarty, 33 East 133d street, 31 feet.

Which was referred to the Committee on Streets and Street Pavements.

By Alderman Hall—

Petition of the F. & M. Schaffer Brewery Company to connect buildings Nos. 105 and 106 East Fifty-first street by a tunnel under the street.

Which was referred to the Committee on Streets and Street Pavements.

##### MOTIONS AND RESOLUTIONS.

By Alderman Levy—

AN ORDINANCE to require the employment on each surface railroad car in the City of New York of a driver and a conductor.

The Mayor, Aldermen, and Commonalty of the City of New York do ordain as follows:

Section 1. It shall be the duty of every company or corporation using cars drawn or propelled by horses, over or upon any surface railway in any of the streets or avenues of the City of New York, for the transportation of passengers, to employ on each and every such car so used, both a driver and a conductor.

Sec. 2. For each and every violation of this ordinance, the president and the directors, and every person having the control, or the control, jointly, with others, of such cars, and the management thereof, shall be deemed guilty of a misdemeanor, and on conviction thereof before any Police Justice, shall incur a penalty of ten dollars, and in default of payment thereof, by imprisonment for a period not exceeding ten days.

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

Sec. 4. This ordinance shall take effect immediately.

Alderman Roosevelt moved the adoption of the ordinance.

Alderman Keenan, as an amendment, moved to refer the paper to the Committee on Railroads. The President put the question whether the Board would agree with the motion of Alderman Keenan.

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

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fleishbein, Keenan, Kenney, Kirk, Martin, McAvoy, Seaman, Strack, and Wells—13.  
Negative—Aldermen Hawes, Levy, McClave, McLean, O'Neil, and Roosevelt—6.

By Alderman Strack—

AN ORDINANCE to provide for the comfort, convenience, and safety of passengers in surface railway cars in the City of New York.

The Mayor, Aldermen, and Commonalty of the City of New York do ordain as follows:

Section 1. Every railway car propelled or drawn by horses on the surface of any street, avenue, or public place, within the corporate limits of the City of New York, and used for the conveyance of passengers, shall be equipped, while so engaged in transporting passengers, with a driver and conductor. For every violation of the provisions of this ordinance, the president, directors, and other officers of the company, and any other person or persons who shall own any such car, or control the running thereof, shall be deemed guilty of a misdemeanor, and on conviction thereof before any Police Justice, shall pay a fine of ten dollars for every such offense, and in default of the payment of such fine, by imprisonment for a period not exceeding ten days.

Sec. 2. All ordinances or parts of ordinances inconsistent or conflicting with the provisions of this ordinance are hereby repealed.

Sec. 3. This ordinance shall take effect immediately.

Which was referred to the Committee on Railroads.

Alderman Roosevelt moved that the Committee be instructed to report within a period of two weeks.

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

Which was decided in the affirmative.

By Alderman Martin—

Resolved, That permission be and the same is hereby given to Guiseppe Logomarsino to retain a small stand on the southwest corner of Cortlandt and New Church streets, he having obtained the consent of the occupant of the said premises; such permission to continue only during the pleasure of the Common Council.

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

Which was decided in the affirmative.

By Alderman Kenney—

Whereas, The exorbitant charge being received by the company known as the "East River Ferry Company," is not in accordance with the rights and privileges of the people of City of New York, as also the citizens of our neighbor the City of Long Island, in Queens County, therefore as representatives of true and pure legislation, we recommend the adoption in the Senate and Assembly of the following resolution:

Resolved, That the above-named company should not be allowed to charge or receive as passage money on their boats while crossing the East river, between Thirty-fourth street, New York City, and Borden avenue, Long Island City, a sum not exceeding two cents for every adult passenger; and that our views and belief in this just and rightful matter be forwarded to the Senate and Assembly of the State of New York, in accordance with the meaning and spirit of the preamble.

Which was referred to the Committee on Ferries and Franchises.

By Alderman McClave—

Resolved, That permission be and the same is hereby given to Minot, Hooper & Company to erect a elevator entrance, not to project over two feet beyond the building line, to be built of iron and glass as shown on the accompanying diagram, the work 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.

Which was referred to the Committee on Public Works.

By Alderman Duffy—

Resolved, That permission be and it is hereby given to Hugh Smith to place bay-windows in the hotel to be erected by him on Fourth avenue and Fortieth and Forty-first streets (as shown by the annexed diagram), under the direction of the Commissioners of the Fire Department; such permission to continue only during the pleasure of the Common Council.

Which was referred to the Committee on Fire and Building Departments.

By Alderman Keenan—

Resolved, That Hiram W. Edes be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of John M. Kyle, who has failed to qualify.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—19.

By Alderman Finck—

Resolved, That Frederick W. Brodsky be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Frederick W. Brodsky, whose term of office expired January 30, 1882.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—19.

By the President—

Resolved, That section 113 of article VIII., chapter 8., of the Revised Ordinances, be amended so as to read—

Section 113. Every such license shall expire on the first Monday of June next after the date thereof, and may be renewed on application for such purpose, and such license shall state the number of the carriage for which the same is granted. The number of said license shall be fixed in plain legible brass figures of at least two inches in length, and a quarter of an inch thick, on such conspicuous place on the inside of the carriage or cab as shall be designated and approved by the Mayor.

Which was referred to the Committee on Law Department.

By Alderman Duffy—

Resolved, That permission be and the same is hereby given to George Casey to place and keep a watering-trough on the sidewalk in front of his premises on Avenue A, west side, twenty feet north of Ninety-second street, the work to be done and water 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.

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

Which was decided in the affirmative.

By Alderman Finck—

Resignation of David De Venney as a Commissioner of Deeds.

Which was accepted.

By the same—

Resolved, That Archibald M. Maclay be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of David De Venney, who has resigned.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—19.

By Alderman Wells—

Resolved, That East One Hundred and Thirty-fourth street, between the easterly curb-line of Willis avenue and the westerly curb-line of Brook avenue, be regulated and graded, the sidewalks flagged a space four feet wide where not heretofore flagged, and that curb and gutter stones be set where not heretofore set, within the aforesaid limits, under the direction of the Commissioners of the Department of Public Parks; and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Public Works.

By Alderman McLean—

Resolved, That Croton water-pipes be laid in Eighty-seventh street, from the Eighth to the Tenth avenue, as provided in chapter 381, Laws of 1879.

Which was referred to the Committee on Public Works.

By the President—

Resolved, That John E. Corr be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of P. C. Bombalier, whose term of office expired January 30, 1882.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fleishbein, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—18.

By Alderman O'Neil—

Resolved, That permission be and the same is hereby given to William Raub to place and keep a small office, within the stoop-line, in front of No. 3 Spring street, such office not to exceed four and a half feet long and seven feet high, the work 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.

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

Which was decided in the affirmative.

By Alderman McClave—

Resolved, That One Hundred and Twenty-ninth street, between Eighth avenue and St. Nicholas, be regulated and graded, curb and gutter stones set, and sidewalks flagged a space four feet wide through the centre thereof, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Public Works.

By the same—

Resolved, That One Hundred and Twenty-seventh street, between Eighth avenue and St. Nicholas avenue, be regulated and graded, curb and gutter stones set, and sidewalks flagged a space four feet wide through the centre thereof, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Public Works.

By the same—

Resolved, That One Hundred and Twenty-eighth street, between Eighth avenue and St. Nicholas avenue, be regulated and graded, curb and gutter stones set, and sidewalks flagged a space four feet wide through the centre thereof, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Public Works.

By Alderman Wells—

Resolved, That East One Hundred and Forty-third street, between the easterly curb-line of Willis avenue and the westerly curb-line of Brook avenue, be regulated and graded, the sidewalks flagged a space four feet wide, where not heretofore flagged, and that curb and gutter stones be set, where not heretofore set, within the aforesaid limits, under the direction of the Commissioners of the Department of Public Parks; and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Public Works.

By Alderman Finck—

Resignation of Samuel Lobenthal as a Commissioner of Deeds.

Which was accepted.

By the same—

Resolved, That Nathan Isaacs be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Samuel Lobenthal, who has resigned.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

By Alderman Duffy—

Resolved, That permission be and the same is hereby given to H. M. Edmundstone to erect bay-windows on houses to be erected on northwest corner of One Hundred and Twenty-ninth street and Madison avenue, also on southwest corner of One Hundred and Thirtieth street and Madison avenue, according to accompanying diagram, the work done at his own expense, under the direction of the Commissioners of the Fire Department; such permission to continue only during the pleasure of the Common Council.

Which was referred to the Committee on Fire and Building Departments.

By the President—

Resolved, That permission be and the same is hereby given to Straiton & Storm to weigh tobacco in cases, on a portable scale to be placed in front of their factory, on the corner of First avenue and East Twenty-seventh street, provided such scale be not an obstruction to the sidewalk, or seriously impede public travel; such permission to continue only during the pleasure of the Common Council.

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

Which was decided in the affirmative.

By Alderman Wells—

Resolved, That William J. Murphy be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Jacob P. Berg, whose term of office expired January 30, 1882.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neill, Roosevelt, Seaman, Strack, and Wells—18.

By Alderman Hawes—

Resolved, That Michael Mahon be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of William Abbott, whose term of office expired January 30, 1882.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—19.

By Alderman Levy—

Resolved, That Lewis S. Marx be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of David Porter Lord, whose term of office expired April 7, 1881.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

By Alderman Wells—

Resolved, That crosswalks be laid in East One Hundred and Fifty-eighth street and in Melrose avenue, Courtland avenue, and Railroad avenue, east, at the intersections of said street and avenues, under the direction of the Commissioners of the Department of Public Parks; and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Public Works.

By Alderman Kenney—

Resolved, That permission be and the same is hereby given to Thomas Slater to place and keep two ornamental lamp-posts and lamps within the stoop-line in front of premises No. 124 Third avenue, 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.

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

Which was decided in the affirmative.

By Alderman McLean—

Resolved, That Evan S. Webster be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Henry E. Wallace, who has failed to qualify.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

By Alderman Wells—

Resolved, That gas-mains be laid, lamp-posts erected, and street-lamps lighted in the Southern Boulevard, from Bernan avenue to Tompkins street, Fordham, Twenty-fourth Ward; the work to be done under the direction of the Commissioner of Public Works.

Which was referred to the Committee on Public Works.

By Alderman McClave—

Resolved, That Eighty-seventh street, from the west curb-line of Tenth avenue to the east curb-line of the Boulevard, be regulated and graded, and that the curb and gutter stones be set, and the sidewalks flagged a space four feet in width through the centre thereof, where not already so flagged, between the curb-lines of the intersecting avenues, from the west side of Eighth avenue to the east side of the Riverside Drive, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Public Works.

By Alderman Kirk—

Resolved, That William Livingston be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York.

Which was referred to the Committee on Salaries and Offices.

By Alderman Wells—

Resolved, That gas-mains be laid, lamp-posts erected, and street-lamps lighted in Fordham Landing road, from the Fordham Heights Depot of the New York and Northern Railroad to Jerome avenue, under the direction of the Commissioner of Public Works.

Which was referred to the Committee on Public Works.

By Alderman Fitzpatrick—

Resolved, That Charles P. Blake be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York.

Which was referred to the Committee on Salaries and Offices.

By Alderman Duffy—

Resolved, That Croton water-pipes be laid in One Hundred and Fifth street, from Fourth to Fifth avenue, as provided in chapter 381, Laws of 1879.

Which was referred to the Committee on Public Works.

By Alderman McClave—

Resolved, That Croton water-mains be laid on the west side of Sixth avenue, between One Hundred and Twenty-fourth and One Hundred and Twenty-fifth streets, as provided in chapter 381 of the Laws of 1879.

Which was referred to the Committee on Public Works.

By Alderman Hall—

Resolved, That permission be and the same is hereby given to Joseph Dixon to retain a sign in front of No. 585 Third avenue; such permission to continue only during the pleasure of the Common Council.

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

Which was decided in the affirmative.

By Alderman Wells—

Resolved, That Croton water-mains be laid in East One Hundred and Forty-eighth street, from Third avenue to Courtland avenue, under the direction of the Commissioner of Public Works, as provided in chapter 381 of the Laws of 1879.

Which was referred to the Committee on Public Works.

By Alderman McAvoy—

Resignation of Samuel Hicks Clapp as a Commissioner of Deeds.

Which was accepted.

By the same—

Resolved, That George W. McGrath be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Samuel Hicks Clapp.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

(G. O. 50.)

By Alderman Wells—

Whereas, A certain resolution of the Board of Aldermen heretofore passed by this Board on behalf of the corporate authorities of the City of New York, giving the consent of such corporate authorities to the routes adopted by the Commission on Rapid Transit, as contained in the report of said commission transmitted to the Board of Aldermen October 28, 1881, was returned to this Board without the approval of the Mayor, for the reason that no provision was made for compensation to the city for the franchises which would accrue to the company or corporation to be organized for the purpose of operating a steam railway upon and along the routes described in the said report of the said Rapid Transit Commissioners; be it therefore

Resolved, That the consent of the Mayor, Aldermen and Commonalty of the City of New York be and is hereby granted for the location of the routes of such steam railway as set forth in the said report of the said Board of Rapid Transit Commissioners, upon condition, however, that the company or corporation which shall come into possession of the franchises for operating a steam railway along and upon the said routes shall annually pay to the Mayor, Aldermen and Commonalty of the City of New York a sum equivalent to five per cent. of all dividends paid during such year by the said company or corporation upon its capital stock, and that such company or corporation shall, before entering upon the construction of any line of railroad along or upon such routes, enter into an undertaking or obligation with the Mayor, Aldermen and Commonalty of the City of New York to make such annual payments as aforesaid.

Which was laid over.

#### COMMUNICATIONS FROM THE DEPARTMENTS AND CORPORATION OFFICERS.

(G. O. 51.)

Alderman McClave offered the following from the Department of Parks:

CITY OF NEW YORK,  
DEPARTMENT OF PUBLIC PARKS,  
36 UNION SQUARE, January 26, 1882.

SIR—Herewith enclosed please find a resolution, which I would be pleased to have you offer in the Board of Aldermen, granting consent, as required by the Charter, for this department to purchase an elephant for the use of the Zoological collection of the Department of Public Parks. This resolution is authorized by the action of our Park Board, and I send to you by reason of your being chairman of the Finance Committee. I shall be glad if you use your good offices in securing its passage by the Board of Aldermen.

Very respectfully yours,  
S. H. WALES.

Hon. JOHN MCCLAVE, Alderman.

Resolved, That pursuant to the provisions of section 91, article 16, chapter 335, Laws of 1873, the Commissioners of the Department of Public Parks be and are hereby authorized and empowered to procure, in open market, and without contract, an elephant for the use of and to be added to the Zoological collection of the department, at a cost not exceeding two thousand five hundred dollars (\$2,500), and to be paid for out of the appropriation made for "Zoological Department" for 1882.

Which was laid over.

#### REPORTS.

(G. O. 52.)

The Committee on Public Works, to whom was referred the annexed resolution in favor of placing an iron drinking-fountain at 184 Seventh avenue, 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 an improved iron drinking-fountain (for man and beast) be placed on southwest corner of Seventh avenue (No. 184), under the direction of the Commissioner of Public Works.

JAMES L. WELLS,  
FERDINAND LEVY,  
JOHN MCCLAVE,  
MICHAEL DUFFY,  
PATRICK KEENAN, } Committee  
on  
Public Works.

Which was laid over.

(G. O. 53.)

The Committee on Public Works, to whom were referred the annexed resolution and ordinance in favor of flagging, curb and gutter, etc., St. Ann's avenue, between One Hundred and Thirty-eighth and One Hundred and Forty-first 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 westerly side of St. Ann's avenue, between One Hundred and Thirty-eighth street and One Hundred and Forty-first street, be flagged a space four feet wide, that the curb and gutter stones be set on the westerly side of said avenue, within the aforesaid limits, under the direction of the Commissioners of the Department of Public Parks; and that the accompanying ordinance therefor be adopted.

JAMES L. WELLS,  
FERDINAND LEVY,  
JOHN MCCLAVE,  
MICHAEL DUFFY,  
PATRICK KEENAN, } Committee  
on  
Public Works.

Which was laid over.

(G. O. 54.)

The Committee on Public Works, to whom were referred the annexed resolution and ordinance in favor of flagging, curb, gutter, etc., One Hundred and Thirty-eighth street, between Willis and St. Ann's 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 the sidewalk on the northerly side of One Hundred and Thirty-eighth street, between Willis avenue and St. Ann's avenue, be flagged a space four feet wide where not hereto-

fore flagged; that the curb and gutter stones be set on the northerly side of said street, within the aforesaid limits, where not heretofore set, under the direction of the Commissioners of the Department of Public Parks; and that the accompanying ordinance therefor be adopted.

JAMES L. WELLS,  
FERDINAND LEVY,  
JOHN MCCLAVE,  
MICHAEL DUFFY,  
PATRICK KEENAN, } Committee  
on  
Public Works.

Which was laid over.

(G. O. 55.)

The Committee on Public Works, to whom was referred the annexed resolution in favor of lighting Croton avenue, Fordham, 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 Croton avenue, between Highbridge road and Central avenue, Fordham, under the direction of the Commissioner of Public Works.

JAMES L. WELLS,  
FERDINAND LEVY,  
JOHN MCCLAVE,  
MICHAEL DUFFY,  
PATRICK KEENAN, } Committee  
on  
Public Works.

Which was laid over.

(G. O. 56.)

The Committee on Public Works, to whom was referred the annexed resolution in favor of laying Croton water-mains in East One Hundred and Thirty-fifth street, Twenty-third Ward, 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 Croton water-mains be laid in East One Hundred and Thirty-fifth street, from Third avenue to the Mott Haven canal, under the direction of the Commissioner of Public Works, as provided in chapter 381 of the Laws of 1879.

JAMES L. WELLS,  
FERDINAND LEVY,  
JOHN MCCLAVE,  
MICHAEL DUFFY,  
PATRICK KEENAN, } Committee  
on  
Public Works.

Which was laid over.

(G. O. 57.)

The Committee on Streets and Street Pavements, to whom were referred the annexed resolution and ordinance in favor of paving Twelfth avenue, from One Hundred and Thirtieth to One Hundred and Thirty-third 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 the roadway of Twelfth avenue, from a line five feet north of and parallel with the north curb of One Hundred and Thirtieth street to a line five feet south of and parallel with the south curb of One Hundred and Thirty-third street, be paved with granite-block pavement, extending at the intersecting streets to the crosswalks heretofore laid, or where not laid to a line five feet east of and parallel with the east curb, and five feet west of and parallel with the west curb of Twelfth avenue respectively, except that crosswalks of two courses of blue-stone be laid across said avenue within the lines of the intersecting and terminating streets where not already laid; also that crosswalks of three courses of blue-stone be laid across said streets where not already laid, adjoining the limits of said pavement, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

MICHAEL DUFFY, } Committee on Streets  
WILLIAM P. KIRK, } and  
JOHN H. SEAMAN, } Street Pavements.

Which was laid over.

(G. O. 58.)

The Committee on Streets and Street Pavements, to whom were referred the annexed resolution and ordinance in favor of paving the intersection of Eighty-first street and Ninth avenue, 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 intersection of Eighty-first street and Ninth avenue, extending from the crosswalk at the westerly side of the avenue easterly to a line five feet east of and parallel with the east curb of Ninth avenue, and northerly to a line five feet north of and parallel with the north curb of Eighty-first street, and southerly to a line five feet south of and parallel with the south curb of Eighty-first street, be paved with granite-block pavement; also that a crosswalk of three courses of blue-stone be laid across the street, and that crosswalks of two courses of blue-stone be laid across the avenue where not already laid, within the lines of the respective sidewalks and adjoining the limits of the above-described pavement, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

MICHAEL DUFFY, } Committee on Streets  
WILLIAM P. KIRK, } and  
JOHN H. SEAMAN, } Street Pavements.

Which was laid over.

(G. O. 59.)

The Committee on Streets and Street Pavements, to whom were referred the annexed resolution and ordinance in favor of paving Eighty-first street, from the Boulevard to the Ninth avenue, 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 roadway of Eighty-first street, from the pavement heretofore laid at the intersection of the Boulevard to a line five feet west of and parallel with the west curb of Ninth avenue, be paved with Belgian or trap-block pavement where not already paved, extending at the intersecting avenues to a line five feet north of and parallel with the north curb, and five feet south of and parallel with the south curb of said street, respectively, except that crosswalks of three courses of blue-stone be laid across said street within the lines of the intersecting and terminating avenues; also that crosswalks of two courses of blue-stone be laid across said avenues adjoining the limits of the above-described pavement, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

MICHAEL DUFFY, } Committee on Streets  
WILLIAM P. KIRK, } and  
JOHN H. SEAMAN, } Street Pavements.

Which was laid over.

(G. O. 60.)

The Committee on Streets and Street Pavements, to whom were referred the annexed resolution and ordinance in favor of paving One Hundred and Twenty-second street, from Sixth to Seventh avenue, 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 roadway of One Hundred and Twenty-second street, from the pavement heretofore laid at the intersection of Sixth avenue to the pavement heretofore laid at the intersection of Seventh avenue, be paved with granite-block pavement, except that crosswalks of three courses of blue-stone be laid across said street within the lines of the westerly sidewalk of Sixth avenue and parallel therewith, and within the lines of the easterly sidewalk of Seventh avenue and parallel therewith, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

MICHAEL DUFFY, } Committee on Streets  
WILLIAM P. KIRK, } and  
JOHN H. SEAMAN, } Street Pavements.

Which was laid over.

(G. O. 61.)

The Committee on Streets and Street Pavements, to whom was referred the annexed resolution in favor of directing the Commissioner of Public Works to number Pleasant avenue, 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 the Commissioner of Public Works be and he is hereby directed to cause the buildings and lots on Pleasant avenue to be properly numbered, as provided in sections 85 and 86, article 7 of chapter 6 of the Revised Ordinances of 1880 of the Mayor, Aldermen and Commonalty of the City of New York.

Resolved, That if, in numbering said avenue, it shall be found that any portion thereof is not yet open, sufficient numbers shall be reserved to properly designate the buildings and lots upon said portion when opened.

MICHAEL DUFFY, } Committee on Streets  
W. P. KIRK, } and  
JOHN H. SEAMAN, } Street Pavements.

Which was laid over.

(G. O. 62.)

The Committee on Streets and Street Pavements, to whom were referred the annexed resolution and ordinance in favor of paving, with trap-blocks, Eighty-seventh street, from Avenue A to First avenue, 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 roadway of Eighty-seventh street, from the westerly crosswalk of Avenue A to the easterly crosswalk of First avenue, be paved with Belgian or trap-block pavement, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

MICHAEL DUFFY, } Committee on Streets  
W. P. KIRK, } and  
JOHN H. SEAMAN, } Street Pavements.

Which was laid over.

(G. O. 63.)

The Committee on Streets and Street Pavements, to whom were referred the annexed resolution and ordinance in favor of paving, with trap-blocks, Lexington avenue, from Ninety-third to Ninety-fourth 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 the roadway of Lexington avenue, from the northerly crosswalk of Ninety-third street to the southerly crosswalk of Ninety-fourth street, be paved with Belgian or trap-block pavement, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

MICHAEL DUFFY, } Committee on Streets  
W. P. KIRK, } and  
JOHN H. SEAMAN, } Street Pavements.

Which was laid over.

(G. O. 64.)

The Committee on Streets and Street Pavements, to whom were referred the annexed resolution and ordinance in favor of paving One Hundred and Twenty-third street, from First avenue to Second avenue, 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 roadway of One Hundred and Twenty-third street, from the westerly crosswalk of First avenue to the easterly crosswalk of Second avenue, be paved with Belgian or trap-block pavement, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

MICHAEL DUFFY, } Committee on Streets  
W. P. KIRK, } and  
JOHN H. SEAMAN, } Street Pavements.

Which was laid over.

(G. O. 65.)

The Committee on Streets and Street Pavements, to whom were referred the annexed resolution and ordinance in favor of paving Seventieth street, from Third to Second avenue, 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 roadway of Seventieth street, from the easterly crosswalk of Third avenue to the pavement heretofore laid at the intersection of Second avenue, be paved with Belgian or trap-block pavement, except that a crosswalk of three courses of blue stone be laid across said street, within the lines of the westerly sidewalk of Second avenue, and parallel therewith, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

MICHAEL DUFFY, } Committee on Streets  
W. P. KIRK, } and  
JOHN H. SEAMAN, } Street Pavements.

Which was laid over.

(G. O. 66.)

The Committee on Streets and Street Pavements, to whom were referred the annexed resolution and ordinance in favor of paving One Hundred and Thirty-third street, from Fourth to Sixth avenue, 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 roadway of One Hundred and Thirty-third street, from a line five feet west of and parallel with the west curb of Fourth avenue, to the pavement heretofore laid at the intersection of Sixth avenue, be paved with granite-block pavement where not already paved, extending at the intersecting avenues to the crosswalks heretofore laid, or where crosswalks are not laid, to a line five feet north of and parallel with the north curb and five feet south of and parallel with the south curb of said street respectively, except that crosswalks of three courses of blue stone be laid across said street within the lines of the sidewalks of the intersecting and terminating avenues where not already laid; also that crosswalks of two courses of blue stone be laid across said avenues where not already laid adjoining the limits of said pavement, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

MICHAEL DUFFY, } Committee on Streets  
W. P. KIRK, } and  
JOHN H. SEAMAN, } Street Pavements.

Which was laid over.

The Committee on Fire and Building Departments, to whom was referred the annexed petition of Charles R. Purdy, executor, etc., for permission to place and keep two bay-windows on the building on the northeast corner of Fifth avenue and Fifty-second street, respectfully

#### REPORT:

That, having examined the subject, they find that all the forms of law required to authorize the erection of the bay-window, as asked for in the petition have been complied with, and that there appears to be no objections to granting the application of the petitioner. They therefore recommend the adoption of the following resolution:

Resolved, That permission be and is hereby given to Charles R. Purdy to place and keep a bay-window on the basement, first and second stories of the building on the northeast corner of Fifth avenue and Fifty-second street, as shown on the accompanying diagram, the work to be done at his own expense, under the direction of the Commissioners of the Fire Department; the permission hereby given to continue only during the pleasure of the Common Council.

DONALD McLEAN, } Committee on Fire  
THOS. BRADY, } and  
MICHAEL DUFFY, } Building Departments.

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

(G. O. 67.)

The Committee on Law Department respectfully

#### REPORT

for your adoption the following ordinance:

AN ORDINANCE to compel owners of coaches, landaus, clarences, carriages, broughams, coupes, and cabs to have two lamps lighted on each vehicle when in the public streets of this city during night time.

The Mayor, Aldermen, and Commonalty of the City of New York, do ordain as follows:

Section 1. Every coach, landau, clarence, carriage, brougham, coupe, or cab, whether used by private owners or others, or specially licensed and used as public vehicles, shall, while in use in any public street, place, or highway, within the corporate limits of the City of New York, during the night time, or between dark in the evening and sunrise the next morning, have two lighted lamps, circular or square in form, with glass on front and outer side, fixed on a conspicuous part of every such vehicle.

Sec. 2. Every owner, driver, or occupant of any vehicle described in the first section of this ordinance who shall violate any of the provisions of the preceding section of this ordinance, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall, in the discretion of the magistrate before whom such offender may be brought, be punished by a fine not exceeding ten dollars, or in default of the payment of such fine, by imprisonment not exceeding ten days.

Sec. 3. The Commissioners of Police are hereby required to rigidly enforce the provisions of this ordinance.

Sec. 4. All ordinances or parts of ordinances inconsistent or conflicting with the provisions of this ordinance are hereby repealed.

Sec. 5. This ordinance shall take effect immediately.

J. W. HAWES, } Committee  
FERDINAND LEVY, } on  
DONALD McLEAN, } Law Department.

Which was laid over.

(G. O. 68.)

The Committee on Law Department respectfully

#### REPORT

for your adoption

AN ORDINANCE to prevent incumbering the sidewalks of streets leading to the several ferries or stations of the elevated railroads

The Mayor, Aldermen, and Commonalty of the City of New York, do ordain as follows:

Section 1. No skids shall be permitted to be used, no wagons shall be backed or placed across the sidewalks, and no planks or other obstructions shall be extended across the sidewalks, from wagons to buildings in any of the streets leading to the several ferries, or in any of the cross streets leading to the elevated railroad stations, and any person who shall violate any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not exceeding ten dollars, or in default of the payment thereof, by imprisonment for a period not exceeding ten days.

Sec. 2. The Commissioner of Public Works, and the Commissioners of the Police Department, are hereby required to enforce rigidly the provisions of this ordinance.

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

Sec. 4. This ordinance shall take effect immediately.

J. W. HAWES, } Committee  
DONALD McLEAN, } on  
FERDINAND LEVY, } Law Department.

Which was laid over.

(G. O. 69.)

The Committee on Finance, to whom was referred the annexed communication from the Commissioners of the Sinking Fund, asking the Common Council to adopt a resolution to establish the right to operate a ferry "from a point at or near the foot of Liberty street, North river, in the City of New York, to and from Communipaw, in Hudson County, State of New Jersey," respectfully

#### REPORT:

That, knowing a ferry had been in operation for many years from and to the identical points named in the resolution of the Sinking Fund Commissioners, two questions very naturally suggested themselves to your Committee. First—Who authorized the establishment of this ferry? and second—Is it operated illegally, and in violation of the corporate rights of the city?

In order to answer these questions satisfactorily, a thorough examination of the case was indispensable, and your Committee undertook the labor, with the following result, arrived at after a thorough search of the records of the Common Council for the past seventeen years.

On the 29th day of June, 1865, a resolution was offered in the Board of Aldermen, requesting the Street Commissioner to inform this Board by what authority a ferry dock was being built at Piers Nos. 14 and 15, North river.

On the 12th day of December, in the same year, a communication was received from the Street Commissioner in reply to the resolution of inquiry, in which he informed the Board, that "the Central Railroad of New Jersey are now building a substantial bridge, dock, and ferry racks, between Piers 14 and 15, North river, and are running a boat therefrom to the Central Railroad on the Jersey shore; that the President of the company stated that the company had no authority from the city for building said dock, etc., and were only carrying passengers for the accommodation of the Central Road; and further, that they intended to make application for the privilege of building bridges, etc., appertaining to ferry privileges." Whereupon Alderman Moore presented a preamble, reciting the facts in the case, with a resolution, as follows:

"Resolved, That the Counsel to the Corporation be and he is hereby authorized and directed to commence an action against the said railroad company (the New Jersey Central) for trespassing upon the rights of the City of New York, with a view of obtaining exemplary damages for such willful and unauthorized assumption of its corporate property, in order to deter any further violation of its chartered rights and franchises."

This resolution was adopted by the Board of Aldermen, but for reason, best known to themselves, failed of concurrent action in the Board of Councilmen.

Matters appear to have remained in this condition for a period of ten years, owing, doubtless, to the known futility of attempting to secure the concurrence of the Board of Councilmen in the effort of the Board of Aldermen to preserve the rights of the city, the railroad company continuing to enjoy its usurped privileges, the stolen franchise, in the meanwhile, becoming of great value. In the year 1875, however, after the abolition of the Board of Councilmen, a resolution was introduced in the Board of Aldermen, then as now, under the Charter of 1873, possessing all the legislative power of the Corporation, to establish a ferry between the points named. The resolution was referred to a Committee on the 7th day of October, in that year, but was not reported, either from want of time or because the Committee could not see the necessity or utility of establishing the right to operate a ferry between points on the North river, where a ferry then was, and for ten years previously had been in successful operation, in direct, open, and willful violation of the chartered rights of the Corporation of the City of New York. The passage of the resolution under these circumstances at that time, would, in effect, be a condonation of the offense of the railroad company. The immunity the New Jersey Railroad secured for itself, for this violation of the ferry franchises of the city, emboldened others to imitate its example. The New England Transfer Company set up without authority and operated a ferry from the Twenty-fourth Ward to Jersey City; two unauthorized ferries were in operation from Peck slip and the pier foot of Beekman street to Astoria; "Annex" boats transported goods, wares, etc., from Brooklyn, L. I., to Jersey City, within our corporate jurisdiction, in like manner; hosts of passengers were carried from the city to Fort Lee, N. J., in ferry-boats, in open violation of this valuable vested right of this Corporation, and these several violations of our city's rights continue to the present day. In fact, the bad example set by this New Jersey Railroad Company bid fair, at no distant period, to destroy this, one of our city's most valued vested rights, unless effective measures were speedily taken by the corporate authorities to check the usurpation.

On the 25th day of May, 1876, a resolution was presented in the Common Council, instructing the Counsel to the Corporation to "institute legal proceedings, immediately, to restrain the person or persons, corporation or corporations now operating a ferry from the slip between Piers Nos. 14 and 15, North river, and from any point or place on the Harlem river, in the Twenty-fourth Ward of the City of New York, to any point or place in the State of New Jersey, or any other ferry from any part or place within the corporate limits of this city, to any point or place on the opposite shore, until every such ferry shall have been first legally established, and the right to operate every such ferry shall have been first had and obtained by public letting or otherwise, as now required by law; and further, that the said Counsel to the Corporation be and he is hereby authorized, directed, and required, immediately, to institute further legal proceedings to recover actual, if not exemplary damages from the person or persons, corporation or corporations now or lately operating any such unauthorized ferry, for trespassing upon this, one of the vested pecuniary franchises of the City of New York." This resolution was unanimously adopted the same day it was offered in the Board, and was received from the Mayor, June 5, 1876, without his approval or objection, thereby becoming a law.

A period of more than three years here elapsed, and as the Common Council was not informed of the steps taken under the resolution to proceed against the Central Railroad of New Jersey, or the condition of the suits, if any, pending in behalf of the city against that corporation, a resolution was presented in the Board of Aldermen, October 17, 1879, and passed, and was approved by the Mayor four days later, requesting the Counsel to the Corporation to report to the Board what proceedings had been instituted by him to restrain the operation of the unauthorized ferry from the slip between Piers 14 and 15, North river, as directed by resolution of June 5, 1876, said report to contain the date when such proceedings were commenced, the progress made therein, the time yet likely to be required for a final determination of the case, and such other information connected with the subject as he may consider of interest or of advantage to the people of the city.

On the 25th day of November, 1879, a communication was received from the Counsel to the Corporation, in reply to the resolution of October 17, in which he says: "After the adoption of the above-mentioned resolution of June 5, 1876, I retained Mr. George T. Curtis as counsel, and the matter has been in his charge ever since. I inclose herewith a copy of a letter received by me from Mr. Curtis, which contains the information asked for by you."

Subsequently, and on the 16th day of December, 1879, a communication was received from Mr. George T. Curtis on the subject, which, as it contains his letter transmitted by the Counsel to the Board November 25, and also a clear statement or condensed history of the proceedings taken under the resolution of June 5, 1876, is given in full. Your Committee bespeak for the letter from Mr. Curtis the careful and earnest attention of the members of the Board.

140 NASSAU STREET,  
NEW YORK, December 15, 1879. }

To the Honorable the Board of Aldermen:

GENTLEMEN—On the 17th of October, last, a resolution was adopted by your Board, asking the Counsel to the Corporation for information relative to the suit of the city against the Central Railroad of New Jersey. This resolution was sent to me by the Counsel to the Corporation for an answer. My answer was made on the 25th of October, and was subsequently transmitted to your Board by the Counsel to the Corporation as the answer of the counsel charged with the conduct of the case on behalf of the city, and it is now on your files. In my letter of October 25, reference was made to another suit of the city, then also under my charge, namely, the case of the Mayor, etc., of New York, vs. "The New England Transfer Company," now pending in the Supreme Court of the United States. To a right understanding of very important interests of the city it is, in my opinion, necessary that a correspondence between the Counsel to the Corporation and myself, relative to the last-mentioned case, should be laid before you in connection with my letter of October 25. I therefore transmit to your Board a copy of this further correspondence, with a request that it may be placed on file.

I remain, gentlemen, very respectfully, your obedient servant,  
GEORGE TICKNOR CURTIS.

NEW YORK, October 25, 1879.

Honorable WILLIAM C. WHITNEY, Corporation Counsel:

DEAR SIR—I have received your letter of the 23d inst., inclosing a resolution of the Common Council, asking for information relative to the suit of the city against the Central Railroad of New Jersey.

Under your retainer, I commenced a suit in equity in the United States Circuit Court in this district, some time ago, to procure a determination of the question whether that company is using a ferry franchise for which a license by the city is necessary, and to obtain an account, and for other purposes.

The testimony has been taken, but I have not yet brought on the argument of the case, for the following reasons: There is now pending in the Supreme Court of the United States, also under my charge, a suit by the city against the New England Transfer Company. The argument of this case will probably be reached at the present term of that court. The case involves one of the same questions as the case of the Central Railroad, namely, whether the periodical and stated transportation of its own passengers by a railroad company from any part of our city territory to the shores of New Jersey, and vice versa, constitutes the use of a ferry franchise for which compensation must be paid to the city. Until the Supreme Court have decided this question, I do not deem it expedient to bring the case of the Central Railroad to trial in the Circuit Court. Indeed, I presume that the Circuit Court would not, under the circumstances, act upon this question before the Supreme Court have acted upon it.

The Central case, however, does not turn wholly on the question. That company carries, and has long carried, the general public, as passengers, from its termini in this city and Jersey City; but I do not think it expedient to try a part of this case before the other question is finally settled by the Supreme Court.

This will convey to the Common Council all the information that I can give in answer to their inquiries, and I remain, very respectfully, your obedient servant,

GEORGE TICKNOR CURTIS.

LAW DEPARTMENT,  
OFFICE OF THE COUNSEL TO THE CORPORATION,  
NEW YORK, December 3, 1879. }

GEORGE T. CURTIS, Esq.:

DEAR SIR—Referring to your letters to me of the 25th of October, last, I have to advise you that after careful consideration of the matter, I have come to the conclusion that the interests of the city will be best subserved by withdrawing the appeal heretofore taken in the case of the Mayor, Aldermen, and Commonalty against the New England Transfer Company. The question whether the ferry rights conferred upon the city by its ancient charters and acts of the Legislature extend to the district annexed from Westchester County is one which it would, of course, be desirable to have settled. This question, however, will not for many years be one of any great pecuniary importance to the city, nor is there any urgent necessity for having it decided by the Supreme Court of the United States at the present time.

The other question involved in this case is, in some respects, an important one, but it does not seem to me advisable to have it passed upon by the Supreme Court at the present time. The question whether a railroad company, like the New Jersey Central, one end of whose railroad terminates in Jersey City, can transport passengers to and from between the State of New Jersey and the State of New York, without a ferry license from the city, is one of considerable pecuniary importance, but it is not precisely the same question as that presented in the above-mentioned suit. In that case it was shown that the New England Transfer Company had established a through route between New England and other places west of New York. The passengers were all provided with through tickets, and the carrying of such passengers on boats from Harlem to Jersey City was done in pursuance of a contract for their transportation from New England to points outside of this State. Moreover, such passengers were not carried on ferry-boats in the usual manner, but the cars in which they were brought from points in New England were placed upon large boats, and the passengers were thus transported around the city. The facts, therefore, of this case are very different from those presented in the suit brought against the Central Railroad of New Jersey, and the Supreme Court of the United States might be disposed to hold that the New England Transfer Company could carry on its business without a ferry license from the city, and yet hold that the Central Railroad of New Jersey must have such ferry license. The danger in allowing this appeal to be heard is, that the Court might not discriminate between the two cases, and if such appeal should be decided against the city, the Court might lay down some doctrine which would prejudice the case against the New Jersey Central; whereas, if such latter case were presented first, the Court might have no hesitation in sustaining the position taken by the city in that action.

Under these circumstances I am satisfied that it would be injudicious to have this appeal heard, and I will therefore thank you to send the papers in the two cases to this office, in order that the necessary steps may be taken to have the appeal withdrawn and the other case prosecuted.

I am, sir, yours respectfully,  
W. C. WHITNEY, Counsel to the Corporation.

ROOM NO. 73, MORSE BUILDING,  
NEW YORK, December 5, 1879 }

WILLIAM C. WHITNEY, Esq., Corporation Counsel:

DEAR SIR—I have this moment received your letter of the 3d instant, relative to the appeal in the case of the Mayor, etc., against the New England Transfer Company, now pending in the Supreme Court of the United States. I have been laboriously engaged for the past two weeks in preparing the brief for the argument of the case, and had just completed and signed it when I received your letter. Observing that the Supreme Court is making rapid progress through its docket, I deemed it prudent to complete the preparation of the brief and argument without further delay.

An interchange of views by a conference between us would, I think, enable you to appreciate the bearing of this case upon important interests of the city more accurately than I should infer from your letter you do now; but as you have not invited such a conference, and have informed me that you have decided to withdraw the appeal, I can only present my views in this form.

I do not, of course, undertake to offer you advice in relation to your official action, but having, as the counsel employed in the case, advised this appeal, and entertaining a different view of its importance to the city from that taken in your late letter, it is due both to the interests of the city and to myself that I should suggest to you the grounds on which I think the decision of the Circuit Court ought not to be acquiesced in.

My official letter to you of October 25 was not designed to give the impression that the one question that is common to this case and the case of the New Jersey Central Railroad is the most important one; but I suggested that as the two cases are to a certain extent alike, the case of the Central had better not be brought to a hearing until the Supreme Court has acted upon the case of the New England Transfer Company. I remain of this opinion. Nor did I, in my private note to you, written on the 26th of October, mean to be understood as intimating that the question relating to the extension of the ferry franchises to the new city territory, and the general question relating to the carriage of railroad passengers, were the only important questions involved in this appeal.

The point decided by the Circuit Court (Judge Shipman), and which caused this appeal to be taken, was this: That, conceding that the ferry rights of the city do extend to the annexed territory, a steamboat, owned and operated by a third party, which transports railroad cars on its deck, containing passengers, baggage, freight, etc., between the termini of one railroad on the territory of this city and the terminus of another railroad in Jersey City, and vice versa, is not a ferry-boat requiring a license from our city authorities. If this decision be not reversed it will remain the law; and one consequence will be that any street railroad terminating at the water's edge anywhere on this island or anywhere within our city limits, can arrange with any other street railroad in Jersey City, run their respective cars containing passengers upon a boat owned and operated by a third company, and that boat can transport them across the river without being guilty of any infraction or invasion of the ferry franchises of this city. I do not believe that Judge Shipman's decision is sound law; and I do not think that this city ought to acquiesce in it or make any settlement with the New England Transfer Company, for the withdrawal of this appeal, that will admit a doctrine so manifestly incorrect.

The danger which you suggest of prosecuting this appeal can hardly arise. The Supreme Court of the United States, if the appeal is argued, must either affirm or reverse Judge Shipman's ruling. There is no likelihood, in my opinion, that the Court will not understand the point that they have to decide, or lay down, in any event, in this case, a doctrine which would prejudice the city in the Central case. On the other hand, the advantage of obtaining a reversal of Judge Shipman's decision would be that it would greatly narrow the ground on which the Central Railroad mean to rest their case in part, by deciding that railroad companies, however they may transport their passengers, by water from or to our city territory, are no more exempt than other persons from the necessity of obtaining a ferry license.

I have, also, what I think are strong reasons for regarding it as eminently expedient to obtain a final settlement of the important question relating to the extension of the ferry franchises of our city to the annexed territory. A very important right of property and of police power is involved in this question. A private Connecticut company has raised the question, and has denied that the City of New York has any ferry franchises in respect to the annexed territory. The judge in the court below, although he has not expressly decided the point, has intimated an opinion strongly leaning against the right of the city. Under these circumstances, to withdraw this appeal and leave this question in its present attitude, it seems to me, would not be wise. At all events, I should not be willing to advise the city that a carrier of passengers, who are provided with what are called through tickets on lines of railroads of different States, and are carried in the cars through our waters from or to any part of our city territory, does not need a ferry license from the city. A withdrawal of this appeal would, it seems to me, be an acquiescence in this doctrine.

I presume I need not add that I have no personal desire to argue a case for the city which the proper authority does not wish to have argued.

You request me to send the papers in these two cases to your office, in order that the necessary steps may be taken to have the appeal withdrawn and the other case prosecuted. The papers in both cases, pleadings and evidence, are on file in the Clerk's office of the United States Circuit Court. The transcript of the record in the New England Transfer case is on file in the Clerk's office of the Supreme Court in Washington. There are printed copies of the Circuit Court papers on file in your office, I believe. I send herewith a schedule of the testimony taken in the Central case, and the maps referred to in one of the depositions.

I remain, respectfully, your obedient servant,  
GEORGE TICKNOR CURTIS.

From the statement contained in the last paragraph of the letter of the Counsel to the Corporation to Mr. Curtis, dated December 3, 1879, it is seen that it was decided by the law officer of the city to withdraw the appeal taken by Mr. Curtis from the decision of Judge Shipman in the case of the New England Transfer Company, and to prosecute the case of the Central Railroad of New Jersey. The right or power of the Corporation Counsel to withdraw the appeal in the former case, without the order or sanction of the Common Council, is very questionable; the wisdom of the withdrawal can be estimated by the fact, that if the appeal was argued and decided against the city, it would even then be no more to its detriment than to allow the adverse decision of Judge Shipman to remain the law. The city had everything to gain and nothing to lose by the appeal taken by Mr. Curtis from the decision of Judge Shipman. The prosecution of the suit against the Central Railroad Company of New Jersey, however, seemed to be determined upon, and the corporate authorities had every reason to hope for a favorable issue.

Nothing further officially was communicated to the Common Council on this subject until the 26th day of July, 1881, when a communication, of which the following is a copy, was received from the Department of Finance:

"CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
"COMPTROLLER'S OFFICE."

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

"At a meeting of the Commissioners of the Sinking Fund, held July 16, 1881, the following preamble and resolution were adopted, viz.:

"Whereas, A ferry is necessary for the public convenience to and from a point at or near the foot of Twenty-third street, East river, in the City of New York, to and from a point at or near the foot of Quay street, in the City of Brooklyn, E. D., and also a ferry to and from a point at or near the foot of Liberty street, North river, in the City of New York, to and from Communipaw, in the State of New Jersey; therefore

"Resolved, That the Common Council be respectfully requested to pass ordinances or resolutions establishing said ferries, to enable the Commissioners of the Sinking Fund to lease the franchises and secure a proper revenue therefrom, as provided by law.

"W. H. DIKEMAN, Secretary.

"—with resolutions, as follows:

"Resolved, That a ferry be and is hereby established to run from a point at or near the foot of Twenty-third street, East river, in the City of New York, to and from a point at or near the foot of Quay street, in the City of Brooklyn, E. D., and the Commissioners of the Sinking Fund are hereby authorized and directed to sell at public auction, to the highest bidder or bidders, as provided by law, the right to operate the ferry so established, on such terms and conditions and subject to such restrictions and regulations as may be prescribed by said Commissioners.

"Resolved, That a ferry be and is hereby established to run from a point at or near the foot of Liberty street, North river, in the City of New York, to and from Communipaw, in Hudson County, State of New Jersey, and the Commissioners of the Sinking Fund are hereby authorized and directed to sell at public auction, to the highest bidder or bidders, as provided by law, the right to operate the ferry so established, on such terms and conditions and subject to such restrictions and regulations as may be prescribed by said Commissioners."

The resolution to establish a ferry between Twenty-third street, New York, and Quay street, Brooklyn, was at once adopted. The resolution to establish a ferry from the foot of Liberty street, New York, to Communipaw, New Jersey, for the Central Railroad Company of New Jersey, was referred to the Committee on Ferries and Franchises of the Board. Under the circumstances no other action could be properly taken by the Common Council. It was known that a suit was then, and for more than five years previously had been pending against the Central Railroad of New Jersey for damages for usurping the right to operate a ferry from the very points mentioned in the resolution, and that the suit was still pending and undetermined. Not the slightest allusion to this fact, nor suggestion of any kind for the guidance of the Board, nor any of the reasons that controlled the action of the Sinking Fund Commissioners, in making this seemingly strange recommendation, was ever given for the information of the Common Council. Consequently, the Board of Aldermen for 1881 adjourned *sine die*, without passing the resolution. The papers in the case, with the other unfinished business of the Board, were ordered on file.

On the 17th day of January, 1882, by resolution offered in and adopted by the present Board of Aldermen, the papers were taken from on file and referred to the Committee on Finance.

Your Committee, after learning all the facts in the case, as given above, which were obtained by referring to the proceedings of the Common Council, and after consultation with members of the present Board of Aldermen, who are personally cognizant of most of the events above narrated, determined to confer with the Comptroller and Counsel to the Corporation, and obtain the opinions of these two officers on the subject. Accordingly, the Chairman of your Committee requested the Comptroller to prepare and furnish a brief, setting forth the facts of the case; and the Counsel was asked to communicate his opinion as to the propriety or advisability of passing the resolution to establish the ferry, in view of the pending litigation, and, in the absence of authority from the Common Council, to discontinue the proceedings ordered and commenced pursuant to the resolutions of June 5, 1876.

The "brief" of the Comptroller and the reply of the Counsel to the Corporation are hereto annexed.

The opinion and statements contained in the communication from the Counsel to the Corporation are of great importance, and were wholly instrumental in determining the recommendations of your Committee. The Counsel says: "Within the last year several consultations have been had by the Comptroller and myself with the officers of the railroad company, for the purpose of reaching a settlement of the litigation, which would recognize our rights for the future, that being deemed the most important consideration, and, at the same time, make some compensation for the expense of the litigation, and for damages by reason of the past use. It resulted in an understanding between the Comptroller, the railroad company, and myself, that if the Common Council should establish a franchise, which could be put up for sale to the highest bidder, that the railroad company would pay ten thousand dollars in settlement of the litigation, and agree to bid for the franchise an annual sum of \$5,500.

"This would, in my judgment, be a very favorable settlement for the city to make, in view of the questions which are in the case, and the possible amount of any recovery likely to be had in the suit, even if successful.

"I therefore join the Commissioners of the Sinking Fund and the Comptroller in recommending the adoption of a resolution establishing a franchise, in order that steps may be taken to settle the litigation and obtain an annual rental for the use of the franchise so established."

Had the Common Council been placed in possession of the above information, in any official manner, either by the Counsel, the Comptroller, or the Sinking Fund Commissioners, when it was asked, last year, to establish the ferry from the foot of Liberty street, there can be no question but favorable action would have been taken at that time. In the absence of any official information whatever, relating to the proposed compromise with the railroad company, and being fully aware of the nature of the legal proceedings then pending against it for violating the rights of the city, it was feared the passage of the resolution proposed by the Sinking Fund Commissioners would, in effect, at least, be a legal discontinuance of the suit. The Common Council was therefore clearly justified in hesitating before adopting a resolution to establish a ferry franchise, for violation of which a suit was then pending. To act otherwise would have the appearance of compounding with violators of the rights of the Corporation.

Your Committee has been thus precise in relating the efforts made by your predecessors to preserve the rights of the Corporation in the ferry franchise, and to show that if any injury has been suffered by the city in the premises, the corporate authorities cannot justly be held accountable for it. The facts also clearly prove that the aforesaid ferry has been operated for the past sixteen years without authority from the Common Council, and was therefore illegal, and in violation of the rights of the city.

Your Committee are in favor of carrying into effect the arrangement mentioned in the letter from the Counsel to the Corporation. They are willing to take it for granted the officers named know what is best for the interests of the city, and believe it is the duty of your Honorable Body to approve the proposition, and enable the Sinking Fund Commissioners to consummate the arrangement. To do this, viz.: "establish a franchise which could be put up for sale to the highest bidder," it will be necessary to modify slightly the resolution submitted for your adoption by the Sinking Fund Commissioners, so as not to restrict the landing place on the New Jersey side to land owned by the New Jersey Central Railroad Company, which would virtually exclude competition, as that company would then be the highest bidder because the only bidder. A precedent for this case is to be found in the resolutions of the Common Council passed to establish a ferry from the foot of Chambers street, New York, to Pavonia avenue, New Jersey, the land at Pavonia avenue being owned by the Erie Railroad Company (see vol. XXII., p. 28, Joint Proceedings, 1854).

The following resolution is, therefore, respectfully offered for your adoption:

Resolved, That a ferry be and is hereby established to run from a point at or near the foot of Liberty street, North river, in the City of New York, to and from Communipaw, or to some street or avenue contiguous or adjacent thereto, as the purchaser of the franchise may elect, in Hudson County, State of New Jersey, and the Commissioners of the Sinking Fund are hereby authorized and directed to sell, at public auction, to the highest bidder or bidders, as provided by law, the right to operate the ferry so established, on such terms and conditions and subject to such restrictions and regulations as may be prescribed by said Commissioners.

JOHN MCCLAVE,  
BERNARD F. MARTIN, } Committee  
C. B. WAITE, } on  
JOSEPH J. MCAVOY, } Finance.  
THOMAS BRADY, }

Which was laid over.

Alderman Hawes here announced that the Committee on Law Department would meet at room No. 8, City Hall, on Thursday, February 2, 1882, at 2 P. M., for the consideration of an ordinance relating to the sale of poultry in this city.

MESSAGES FROM HIS HONOR THE MAYOR.

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

MAYOR'S OFFICE, NEW YORK, January 31, 1882.

To the Honorable the Board of Aldermen:

I herewith transmit the annual report of the receipts and expenditures of the Cooper Union for the Advancement of Science and Art for the year ending December 31, 1881.

W. R. GRACE, Mayor.

Annual Report of the Receipts and Expenditures of the Cooper Union for the Advancement of Science and Art for the Year ending December 31, 1881.

To the Legislature of the State of New York, and the Common Council of the City of New York, as required by the Charter of the said corporation:

REVENUE.

Rent from stores, rooms, offices, and	
Large Hall.....	\$33,792 93
Miscellaneous Receipts.....	4,780 87
Interest on Bond Investment.....	943 93
Interest on Peter Cooper's Endowment	
Fund.....	3,000 00
Donations.....	800 00
Petty Cash.....	177 16

Total Receipts.....\$43,494 89

EXPENDITURES.

For Free Night Classes in Science and	
Art.....	\$9,841 76
"Free Art School for Women.....	10,835 37
"Free Reading Room.....	2,199 25
"Free Library.....	5,396 60
"Chemical Department.....	391 69
"Philosophical Department.....	108 15
"Lecture Expenses.....	653 47
"Care of Building.....	3,172 99
"Heat and Ventilation.....	4,416 18
"Repairs and Improvements.....	6,246 53
"Furnishing.....	324 93
"Office Expenses.....	902 11
"Gas.....	4,354 17
"Printing.....	623 22
"Stationery.....	283 81
"Advertising.....	490 15
"Postage.....	121 30
"Sundries.....	202 46
"Women's Centennial Union Fund	92 00
"Rewards to Employees.....	317 50

Total Expenditures.....\$50,973 64

GENERAL CASH STATEMENT.

Dr.	
Balance in Treasury, January 1, 1881.	\$3,705 09
Receipts as per Statement above.....	43,494 89
Money borrowed during the year....	27,000 00
	\$74,199 98

Cr.	
Expenditures, as per Statement above.	\$50,973 64
Loans paid off.....	20,000 00
Balance in Treasury, January 1, 1882	3,226 34
	\$74,199 98

FINANCIAL CONDITION—CURRENT ASSETS.

Balance in Treasury, January 1, 1882.	\$3,226 34
Rents Due.....	3,772 51
Interest overdue from Township of	
Pompton.....	7,500 00
	\$14,498 85

CURRENT INDEBTEDNESS.

Loans.....	\$7,000 00
Accounts Audited.....	7,832 95
	\$14,832 95

City and County of New York, ss.: Peter Cooper, Wilson G. Hunt, Daniel F. Tiemann, Edward Cooper, John E. Parsons, and Abram S. Hewitt, being duly and severally sworn, do, and each for himself doth depose and say, that they are Trustees of the Cooper Union for the Advancement of Science and Art, and that the foregoing is a true account of all the receipts and expenditures of the said Trustees for the year ending December 31, 1881, to the best of their knowledge and belief.

PETER COOPER,  
WILSON G. HUNT,  
DANIEL F. TIEMAN,  
EDWARD COOPER,  
JOHN E. PARSONS,  
ABRAM S. HEWITT.

Subscribed and sworn to before me, this

24th day of January, 1882.

DANIEL R. GARDEN,

Notary Public, City and County of New York.

Which was ordered on file.

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

MAYOR'S OFFICE, NEW YORK, January 30, 1882.

To the Honorable the Board of Aldermen:

I return, without my approval, the resolution of the Board of Aldermen, adopted January 24, 1882, giving permission to the London and Liverpool Clothing Company to extend their show-windows on their stores Nos. 463, 465, and 467 Broadway, for the reason that such extensions from the building line are very objectionable.

W. R. GRACE, Mayor.

Resolved, That permission be and the same is hereby given to the London and Liverpool Clothing Company to extend the show-windows on their stores, Nos. 463, 465, and 467 Broadway, northwest corner of Grand street, outwardly from the house line, a distance of twenty (20) inches, as shown on the accompanying diagram, the work to be done at own expense, under the direction of the Commissioners of the Fire Department; such permission to continue only during the pleasure of the Common Council.

Which was laid on the table, 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:

MAYOR'S OFFICE, NEW YORK, January 31, 1882.

To the Honorable the Board of Aldermen:

I return, without my approval, the resolution of the Board of Aldermen, adopted January 17, 1882, directing the New York Central and Hudson River Railroad Company to adopt additional precautions against accidents at Spuyten Duyvil cut, for the reasons given by the Counsel to the Corporation, which are as follows: "So far as I am aware, there is no provision of law by which the power to pass a resolution of this character is expressly given to the Common Council of this city, nor do I think that such power can be inferred or implied from any existing provision of law."

W. R. GRACE, Mayor.

Whereas, It is asserted by the public press, and by those familiar with the location of the recent appalling accident at the Spuyten Duyvil curve on the New York Central and Hudson River Railroad, that said accident could probably have been prevented if a competent flagman or signal man had been stationed at each end of the deep cut, and if said cut had been properly lighted and patrolled; be it therefore

Resolved, That the said New York Central and Hudson River Railroad Company be and it is hereby directed hereafter, to keep a sober, experienced, and reliable flagman or signal man at each end of the Spuyten Duyvil cut, and at or near the point known as McCarthy's crossing.

Resolved, That said company be and it is hereby further directed, at its own expense, to keep said cut properly lighted and patrolled, and to adopt such other additional precautions as are necessary to prevent, as far as possible, any further accidents on this part of its tracks.

Which was laid on the table, 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:

MAYOR'S OFFICE, NEW YORK, January 30, 1882.

To the Honorable the Board of Aldermen:

I return without my approval, the resolution of the Board of Aldermen, adopted January 24, 1882, giving permission to Philip H. Schnöter to erect a barber-pole at No. 169 East One Hundred and Twenty-sixth street, and the resolution adopted January 24, 1882, giving permission to Frank Krauss to erect a pole with sign in front of No. 332 Bowery, and the resolution adopted January 24, 1882, giving permission to Ottman & Co. to retain meat-racks corner of Allen and Delancey streets, and the resolution adopted January 24, 1882, giving permission to Richard L. Wood to retain sign in front of No. 401 Canal street, and the resolution adopted January 24, 1882, giving permission to M. Schneider to retain a barber's pole in front of No. 396 Sixth avenue, also the resolution adopted January 24, 1882, giving permission to Oscar R. Myer to place a show-case on the sidewalk, near the curb-stone, in front of No. 26 West Fourteenth street, for the reason that it is intended to place all these signs on or near the curb-stone, and they would be objectionable obstructions to public travel.

W. R. GRACE, Mayor.

Resolved, That permission be and the same is hereby given to Philip H. Schnöter to erect a barber-pole at 169 East One Hundred and Twenty-sixth street, the work done at his own expense; such permission to continue only during the pleasure of the Common Council.

Resolved, That permission be and the same is hereby given to Frank Krauss to erect a pole, not over seven feet high, with a sign not to exceed 18 inches in length on each side, in front of his premises, No. 332 Bowery; the work done at his own expense; such permission to continue only during the pleasure of the Common Council.

Resolved, That permission be and the same is hereby given to Ottman and Co. to retain their awning and meat-racks in front of their premises, northeast corner of Allen and Delancey streets; such permission to continue only during the pleasure of the Common Council.

Resolved, That permission be and the same is hereby given to Richard L. Wood to retain the sign now in front of his premises, No. 401 Canal street; such permission to continue only during the pleasure of the Common Council.

Resolved, That permission be and the same is hereby given to M. Schneider to retain a barber's pole now opposite No. 396 Sixth avenue; such permission to continue only during the pleasure of the Common Council.

Resolved, That permission be and the same is hereby given to Oscar R. Myer to place and keep a show-case on the sidewalk, near the curb-stone, in front of No. 26 West Fourteenth street, such show-case not to be more than six feet high and two feet wide; such permission to continue only during the pleasure of the Common Council.

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

## UNFINISHED BUSINESS.

Alderman McClave called up G. O. 45, being a resolution and ordinance, as follows:

Resolved, That Nineteenth street, from a line 260 feet west of the west line of Tenth avenue to the easterly curb-line of Thirteenth avenue, be regulated and graded, curb-stones set and sidewalks flagged a space four feet wide, where not already done, and that the roadway be paved with Belgian or trap-block pavement, between the aforesaid limits where not already paved, except that a crosswalk of three courses of blue stone be laid across said street within the lines of the easterly sidewalk of Thirteenth avenue and parallel therewith, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman Fleishbein called up G. O. 47, being a resolution and ordinance, as follows:

Resolved, That the roadway of Madison avenue, from the pavement heretofore laid at the intersection of One Hundred and Tenth street to the pavement heretofore laid at the intersection of One Hundred and Sixteenth street, be paved with granite-block pavement, where not already paved, extending at the intersecting streets to the crosswalks heretofore laid, or where the crosswalks are not laid, to a line five feet east of and parallel with the east curb, and five feet west of and parallel with the west curb of said avenue, respectively, except that crosswalks of two courses of blue stone be laid across said avenue, within the lines of the sidewalks of the intersecting streets, where not already laid, except at One Hundred and Tenth and One Hundred and Sixteenth streets, where there shall be three courses of blue stone; also that crosswalks of three courses of blue stone be laid across said streets, where not already laid, adjoining the limits of said pavement, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman Fleishbein called up G. O. 41, being a resolution and ordinance, as follows:

Resolved, That the roadway of Avenue A, from a line 10 feet south of and parallel with the south curb of Fifty-fourth street to the crosswalk heretofore laid on the northerly side of Fifty-seventh street, be paved with granite-block pavement where not already paved, extending at the intersecting streets to the crosswalks heretofore laid, or where crosswalks are not laid to a line five feet east of and parallel with the east curb of Avenue A, except that crosswalks of two (2) courses of blue stone be laid across said avenue within the lines of the sidewalks at intersecting streets where not already laid, except at Fifty-seventh street, where there shall be three courses of blue stone; also, that crosswalks of three (3) courses of blue stone be laid where not already laid, crossing the intersecting streets and adjoining the limits of the above-described pavement, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman O'Neil called up G. O. 28, being a resolution, as follows:

Resolved, That the Commissioner of Public Works be and he is hereby directed to lay Croton water-mains in East One Hundred and Thirty-fourth street, from Willis avenue to Brown place, and in East One Hundred and Thirty-sixth street, from Willis avenue to a point in said street distant two hundred feet easterly from said avenue, as provided in chapter 381 of the Laws of 1879.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman O'Neil called up G. O. 35, being a resolution, as follows:

Resolved, That gas-mains be laid, lamp-posts erected, and street-lamps lighted in East One Hundred and Seventy-fifth street (formerly Fitch street), from Vanderbilt avenue (formerly Myrtle avenue) to Worth avenue, and in Worth avenue, from East One Hundred and Seventy-seventh street (formerly Morris street), to a point in said avenue opposite the gas-works, Tremont, Twenty-fourth Ward; the work to be done 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, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman Roosevelt called up G. O. 32, being a resolution, as follows:

Resolved, That gas-mains be laid, lamp-posts erected, and street-lamps lighted in First avenue, between Fortieth and Forty-first streets, 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, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—19.

Alderman Roosevelt called up G. O. 49, being a resolution and ordinance, as follows:

Resolved, That the carriageway of One Hundred and Twenty-third street, from the west crosswalk at First avenue to the east crosswalk at Second avenue, be paved with Belgian pavement, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman Fitzpatrick called up G. O. 42, being a resolution and ordinance, as follows:

Resolved, That the roadway of One Hundred and Twenty-eighth street, from the pavement heretofore laid at the intersection of Sixth avenue to the pavement heretofore laid at the intersection of Seventh avenue, be paved with Belgian or trap-block pavement, except that a crosswalk of three courses of blue stone be laid across said street within the lines of the westerly sidewalk of Sixth avenue and parallel thereto; and that a crosswalk of three courses of blue stone be laid across said street within the lines of the easterly sidewalk of Seventh avenue and parallel thereto, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman Fitzpatrick called up G. O. 46, being a resolution and ordinance, as follows:

Resolved, That the roadway of Sixty-ninth street, from the westerly crosswalk at Eighth avenue to the pavement heretofore laid at the intersection of the Boulevard, be paved with granite-block pavement where not already paved, except that crosswalks of three courses of blue stone be laid across said street, within the lines of the easterly and westerly sidewalks of Ninth avenue, and parallel thereto, and that a crosswalk of three courses of blue stone be laid across said street within the lines of the easterly sidewalk of the Boulevard, and parallel thereto, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman Brady called up G. O. 44, being a resolution and ordinance, as follows:

Resolved, That the sidewalks on both sides of Forty-third street, from the west curb of Lexington avenue to the east curb of Fourth avenue, be regulated and graded, and an additional course of four feet of flagging be laid thereon where not already done, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman Brady called up G. O. 48, being a resolution, as follows:

Resolved, That the streets on the west side of Eighth avenue, from Fifty-ninth to One Hundred and Tenth street, be renumbered, commencing with number one at Eighth avenue.

Alderman Kirk moved that the report be recommitted to the Committee on Streets and Street Pavements.

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

Which was decided in the affirmative.

Alderman Brady called up G. O. 29, being a resolution, as follows:

Resolved, That gas-mains be laid, lamp-posts erected, and street-lamps lighted in Spring place, between the Boston Road and Franklin avenue, in the Twenty-third Ward, the work to be done 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, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman Duffy called up G. O. 26, being a resolution, as follows:

Resolved, That gas-mains be laid, lamp-posts erected, and street-lamps lighted in One Hundred and Thirty-fifth street, from Eighth avenue to Fourth avenue, 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, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman Duffy called up G. O. 31, being a resolution, as follows:

Resolved, That Croton water-mains be laid in One Hundred and Third street, from First to Second avenue, as provided in chapter 381, Laws of 1879.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—20.

Alderman Kenney called up G. O. 36, being a resolution, as follows:

Resolved, That the Commissioner of Public Works be and he hereby is directed to lay Croton water-mains in East One Hundred and Sixty-fourth street, between Third avenue and Washington avenue.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—19.

Alderman Martin called up G. O. 25, being a resolution and ordinance, as follows:

Resolved, That the roadway of Eighty-second street, from the west crosswalk of Eighth avenue to the pavement heretofore laid at the intersection of the Boulevard and extending at the several intersecting avenues, from a line five feet north of and parallel with the north curb of Eighty-second street to a line five feet south of and parallel with the south curb of Eighty-second street, be paved with Belgian or trap-block pavement, except that crosswalks of three courses of blue stone be laid on the east side of the Boulevard and on both sides of the intersecting avenues, where not already laid, across Eighty-second street within the lines of the sidewalks of said avenues or Boulevard and parallel therewith, also that two crosswalks of blue stone be laid at the intersecting avenues adjoining the above-described pavement; under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Hawes, Keenan, Kenney, Kirk, Levy, Martin, McAvoy, McClave, O'Neil, Roosevelt, Seaman, Strack, and Wells—18.

Alderman Martin called up G. O. 34, being a resolution, as follows:

Resolved, That a public drinking-fountain (for man and beast) be erected at or near the corner of South Fifth avenue and West Fourth street.

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

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The President, Aldermen Brady, Duffy, Finck, Fitzpatrick, Fleishbein, Keenan, Kenney, Kirk, Levy, Martin, McClave, McLean, O'Neil, Roosevelt, Seaman, Strack, and Wells—18.

Alderman Keenan called up G. O. 3, being a resolution, as follows:

Resolved, That section 52 of article IV. of chapter 6 of the Revised Ordinances of 1880 be and the same is hereby amended by adding after the words "hang or place" the words "or suffer or permit to be hung or placed," so that the said section shall read as follows:

"No person shall hang or place, or suffer or permit to be hung or placed, any goods, wares, or merchandise or any other thing at any greater distance than twelve inches in front of his, her, or their house or store or other building, under the penalty of five dollars for each offense."

Resolved, That section 53 of article IV. of chapter 6 of the Revised Ordinances of 1880 be and the same is hereby amended by adding after the words "place, hang, or suspend," the words "or suffer or permit to be placed, hung, or suspended," so that the said section shall read as follows:

"No person shall place, hang, or suspend, or suffer or permit to be placed, hung, or suspended, at any greater distance than twelve inches in front of and from the wall of any house or store or other building, any sign, show bill, or show board, under the penalty of ten dollars for each offense."

Alderman Roosevelt moved to amend by providing that five days' notice be given the offender to remove the violation, and if notice be complied with no complaint be made.

Alderman Strack moved that the papers be again laid over.

The President put the question whether the Board would agree with the motion of Alderman Strack.

Which was decided in the affirmative.

## MOTIONS AND RESOLUTIONS RESUMED.

Alderman Strack 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 Tuesday, the 7th day of February, at 12 o'clock, M.

FRANCIS J. TWOMEY, Clerk.

## LAW DEPARTMENT.

LAW DEPARTMENT,  
OFFICE OF THE COUNSEL TO THE CORPORATION,  
NEW YORK, January 27, 1882.

WILLIAM M. IVINS, Esq., *Secretary of the Mayor*:

SIR—I duly received your communication of the 20th inst., transmitting a resolution of the Board of Aldermen, No. 48, for my examination and report to the Mayor whether there is any power in the Board of Aldermen to pass such a resolution. The resolution in question is as follows:

"Whereas, It is asserted by the public press and by those familiar with the location of the recent appalling accident at the Spuyten Duyvil curve of the New York Central and Hudson River Railroad, that said accident could probably have been prevented if a competent flagman or signal man had been stationed at each end of the deep cut, and if said cut had been properly lighted and patrolled; be it therefore

"Resolved, That said New York Central and Hudson River Railroad Company be and it is hereby directed hereafter to keep a sober, experienced, and reliable flagman or signal man at each end of the Spuyten Duyvil cut, and at or near the point known as McCarthy's Crossing.

"Resolved, That said company be and it is hereby further directed, at its own expense, to keep said cut properly lighted and patrolled, and to adopt such other precautions as are necessary to prevent, as far as possible, any further accidents on this part of its tracks."

So far as I am aware there is no provision of law by which the power to pass a resolution of this character is expressly given to the Common Council of this city, nor do I think that such power can be inferred or implied from any existing provision of law.

The resolution transmitted with your letter is herewith returned.

I am, sir, yours respectfully,

W. C. WHITNEY, Counsel to the Corporation



## JURORS.

NOTICE  
IN RELATION TO JURORS FOR STATE  
COURTS.

OFFICE OF THE COMMISSIONER OF JURORS,  
NEW COUNTY COURT-HOUSE,  
NEW YORK, SEPT. 15, 1881.

APPLICATIONS FOR EXEMPTIONS WILL BE  
heard here, from 10 to 3 daily, from all persons  
hitherto liable or recently serving who have become ex-  
empt, and all who have not answered as to their liability, or  
proved permanent exemption, will receive a "jury enroll-  
ment notice" requiring them to appear before me this  
year. Whether liable or not, such notices must be an-  
swered (in person, if possible, and at this office only) under  
severe penalties. If exempt, the party must bring proof  
of exemption; if liable, he must also answer in person,  
giving full and correct name, residence, etc., etc. No  
attention paid to letters.

Persons "enrolled" as liable must serve when called  
or pay their fines. No mere excuse will be allowed or  
interference permitted. The fines if unpaid will be entered  
as judgments upon the property of the delinquents.  
All good citizens will aid the course of justice, and  
secure reliable and respectable juries, and equalize their  
duty by serving promptly when summoned, allowing their  
clerks or subordinates to serve, reporting to me any attempt  
at bribery or evasion, and suggesting names for enrollment.  
Persons between sixty and seventy years of age, summer  
absentees, persons temporarily ill, and United States and  
District Court jurors are not exempt.

Every man must attend to his own notice. It is a mis-  
deemeanor to give any jury paper to another to answer.  
It is also punishable by fine or imprisonment to give or  
receive any present or bribe, directly or indirectly, in re-  
lation to a jury service, or to withhold any paper or make  
any false statement, and every case will be fully prose-  
cuted.

GEORGE CAULFIELD,  
Commissioner of Jurors,  
Room 17, New County Court-house

DEPARTMENT OF PUBLIC CHAR-  
ITIES AND CORRECTION.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,  
No. 66 THIRD AVENUE.

## TO CONTRACTORS.

PROPOSALS FOR GROCERIES, FEED,  
CROCKERY, HARDWARE, ETC.SEALED BIDS OR ESTIMATES FOR FURNISH-  
ING

GROCERIES.  
6,000 pounds Dairy Butter, sample on exhibition.  
25,000 Fresh Eggs (all to be candled).  
5,000 pounds Crushed Sugar.  
20,000 " Oolong Tea.  
1,000 " Pepper.  
50 barrels Oatmeal.  
50 1/2 boxes Raisins.  
1 cask Prunes.  
3 casks Chicory.  
20 dozen Canned Peas (3 lb.).  
5 " Worcestershire Sauce.  
250 barrels Carrots.  
250 " Turnips.

DRY GOODS.  
50 bales Brown Muslin.  
25 " Bandage Muslin.  
10 gross Women's Thimbles.  
100 pieces Oiled Muslin.  
500 Rubber Blankets.

PAINTS AND OILS.  
3 bbls. Spirits Turpentine, prime quality.  
3 " Boiled Linseed Oil.  
3 " Raw " "

LEATHER.  
500 sides good damaged Sole Leather  
500 sides Waxed Kip Leather.

WOODEN WARE, ETC.  
100 dozen Mops.  
100 dozen Mop Handles.  
1 gross Washboards.  
20 dozen Whitewash Brushes.  
20 dozen 6" Paint Brushes.  
20 dozen Sash Tools.  
6 dozen Stove Brushes.  
3 dozen Kalsomining Brushes.  
20 bales Broom Corn.  
2 coils 3" Manila Rope, soft laid.  
6 dozen Steel Scoop Shovels.  
1 gross Thermometers.

LUMBER.  
50,000 feet (B. M.) one inch Shipping Box Boards, not  
less than 10 inches or more than 16 inches  
wide, and from 12 to 16 feet long, dressed  
one side, and delivered at Blackwell's Island.

—or any part thereof, will be received at the office of the  
Department of Public Charities and Correction, in the City  
of New York, until 9:30 o'clock A. M., of Friday, the 3d  
day of February, 1882. The person or persons making  
any bid or estimate shall furnish the same in a sealed en-  
velope, indorsed "Bid or Estimate for Groceries, Dry  
Goods, Paints and Oils, Leather, Lumber, etc.," and with  
his or their name or names, and the date of presentation,  
to the head of said Department, at the said office, on or  
before the day and hour above named, at which time and  
place the bids or estimates received will be publicly opened  
by the head of said Department and read.

The Department of Public Charities and Correction re-  
serves the right to decline any and all bids or estimates if  
deemed to be for the public interest, and to accept any  
bid or estimate as a whole, or for any one or more articles  
included therein. No bid or estimate 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 a  
defaulter, as surety or otherwise, upon any obligation to  
the Corporation.

The award of the contract will be made as soon as  
practicable after the opening of the bids.  
Delivery will be required to be made from time to time,  
at such time and in such quantities as may be directed by  
the said Department; but the entire quantity will be re-  
quired to be delivered on or before thirty (30) days after  
the date of the contract.

Any bidder for this contract must be known to be en-  
gaged in and well prepared for the business, and must  
have satisfactory testimonials to that effect; and the  
person or persons to whom the contract may be awarded  
will be required to give security for the performance of  
the contract by his or their bond, with two sufficient sur-  
ties, in the penal amount of fifty (50) per cent. of the es-  
timated amount of the contract.

Each bid or estimate shall contain and state the name  
and place of residence of each of the persons making the  
same; the names of all persons interested with him or them  
therein; and if no other person be so interested, it shall  
distinctly state that fact; that it is made without any  
connection with any other person making an estimate for  
the same purpose, and is in all respects fair and without  
collusion or fraud; and 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 por-  
tion of the profits thereof. The bid or estimate must be  
verified by the oath, in writing, of the party or parties  
making the estimate, that the several matters stated there-  
in 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 bid or estimate shall be accompanied by the con-  
sent, in writing, of two householders or freeholders in the  
City of New York, with their respective places of busi-  
ness or residence, to the effect, that if the contract be  
awarded to the person making the estimate, they will, on

its being so awarded, become bound as his sureties for its  
faithful performance; and that if he shall omit or refuse to  
execute the same, they shall pay to the Corporation any  
difference between the sum to which he would be entitled  
on its completion, and that which the Corporation may be  
obliged to pay to the person or persons to whom the contract  
may 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 af-  
firmation, 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 re-  
quired for the completion of this contract over and above  
all his debts of every nature, and over and above his  
liabilities, as bail, surety, or otherwise; and that he has  
offered himself as a surety in good faith and with the in-  
tention to execute the bond required by section 27 of chapter  
8 of the Revised Ordinances of the City of New York, if  
the contract shall be awarded to the person or persons for  
whom he consents to become surety. The adequacy  
and sufficiency of the security offered to be approved  
by the Comptroller of the City of New York.

No bid or estimate will be considered unless ac-  
companied by either a certified check upon one of the  
national banks of the City of New York, drawn to the  
order of the Comptroller, or money to the amount of five  
per centum of the amount of the security required for the  
faithful performance of the contract. Such check or money  
must not be included in the sealed envelope containing the  
estimate, but must be handed to the officer or clerk of the  
Department who has charge of the Estimate-book, and no  
estimate can be deposited in said book until such check or  
money has been examined by said officer or clerk and  
found to be correct. All such deposits, except that of  
the successful bidder, will be returned to the persons  
making the same within three days after the contract is  
awarded. If the successful bidder shall refuse or neglect,  
within five days after notice that the contract has been  
awarded to him, to execute the same, the amount of the  
deposit made by him shall be forfeited and retained by  
the City of New York as liquidated damages for such  
neglect or refusal; but, if he shall execute the contract  
within the time aforesaid, the amount of his deposit will  
be returned to him.

Should the person or persons to whom the contract may  
be awarded neglect or refuse to accept the contract within  
five days after written notice that the same has been  
awarded to him or their bid or proposal, or if he or they  
accept but do not execute the contract and give the  
proper security, he or they shall be considered as having  
abandoned it and as in default to the Corporation, and the  
contract will be readvertised and let as provided by law.

The quality of the articles, supplies, goods, wares, and  
merchandise must conform in every respect to the samples  
of the same respectively at the office of the said Depart-  
ment. Bidders are cautioned to examine the specifica-  
tions for particulars of the articles, etc., required, before  
making their estimates.

Bidders will state the prices for each article, by which  
the bids will be tested.

Bidders will write out the amount of their estimate, in  
addition to inserting the same in figures.

Payment will be made by a requisition on the Com-  
ptroller, issued on the completion of the contract, or from  
time to time, as the Commissioners may determine.

Bidders are informed that no deviation from the speci-  
fications will be allowed, unless under the written in-  
struction of the Commissioners of Public Charities and  
Correction.

The Department of Public Charities and Correction re-  
serves the right to decline any and all bids or estimates  
if deemed to be for the public interest, and to accept any  
bid or estimate as a whole, or for any one or more ar-  
ticles included therein. No bid or estimate will be ac-  
cepted from, or a 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 form of the agreement, including specifications,  
and showing the manner of payment can be obtained at  
the office of the Department.

Dated New York, January 23, 1882.  
THOMAS S. BRENNAN,  
JACOB HESS,  
HENRY H. PORTER,  
Commissioners of the Department of  
Public Charities and Correction

## FINANCE DEPARTMENT.

CITY OF NEW YORK,  
FINANCE DEPARTMENT,  
COMPTROLLER'S OFFICE,  
January 18, 1882.

## NOTICE TO PROPERTY-OWNERS.

IN PURSUANCE OF SECTION 4 OF CHAPTER  
33 of the Laws of 1881, the Comptroller of the City  
of New York hereby gives public notice to property-owners  
that the following lists of assessments for local improve-  
ments in said city were confirmed by the "Board of Re-  
vision and Correction of Assessments" on the 7th day of  
January, 1882, and, on the same date, were entered in the  
Record of Titles of Assessments kept in the "Bureau  
for the Collection of Assessments and of Arrears of Taxes  
and Assessments and of Water Rents," viz.:

122d street, regulating, grading, etc., from 10th avenue  
to Riverside Drive.  
13th avenue, regulating, grading, etc., from 11th to 16th  
street.  
153d street, regulating, grading, etc., between 10th ave-  
nue and St. Nicholas.  
4th avenue, regulating, grading, etc., between 94th and  
96th streets.  
31st street, regulating, grading, etc., sidewalks, be-  
tween 1st avenue and East River.  
Water street, curb, gutter, and flagging, between Cor-  
lears and East streets.  
81st street, flagging both sides, between 8th and 9th  
avenues.  
9th avenue, flagging, between 71st and 72d streets.  
45th street, fencing vacant lots, north side, between 9th  
and 10th avenues.  
47th street, fencing vacant lots, southeast corner 9th  
avenue.  
58th street, fencing vacant lots, north side, between 6th  
and 7th avenues.  
59th street, fencing vacant lots, south side, between 6th  
and 7th avenues.  
78th street, fencing vacant lots, north side, between 4th  
and Madison avenues, and 4th avenue, between 78th and  
79th streets.  
81st and 82d streets and Madison and 5th avenues,  
fencing block.  
83th and 86th streets and Madison and 5th avenues,  
fencing block.  
55th street, paving, between 10th and 11th avenues.  
63d street, paving, between 8th and 10th avenues.  
69th street, paving, between 1st and 3d avenues.  
80th street, paving, between 2d avenue and Avenue A.  
81st street, paving, between 1st and 2d avenues.  
111th street, paving, between 2d and 3d avenues.  
126th street, paving, between 7th and St. Nicholas  
avenues.  
127th street, paving, between 2d and 3d avenues.  
Lexington avenue, paving, between 94th and 95th  
streets.  
Houston street, sewer extension, etc.  
43d street, sewer, between 2d and 3d avenues.  
134th street, sewer, from 410 feet east of Willis ave-  
nue, etc.  
Lexington avenue, sewer, from 60th to 70th street.  
Water street, sewer, between Dover and Roosevelt  
streets.  
Front street, sewer, between Beekman and Fulton  
streets.  
80th street, sewer, between 10th avenue and Boulevard.  
81st street, sewer, between 10th avenue and summit  
east of 10th avenue.  
82d street, sewer, between 1st avenue and Avenue B,  
etc.

82d street, sewer, between branch curve Avenue A.  
102d street, sewer, between 3d and Lexington avenues.  
113th street, sewer, between 7th and 8th avenues.  
118th street, sewer, between 6th and 7th avenues.  
119th street, sewer, between 6th and 7th avenues.  
123d street, sewer, between 4th and Madison avenues.  
Lexington avenue sewer, between 38th and 39th streets.  
Lexington avenue sewer, between 77th and 78th streets.  
Lexington avenue sewer, between 105th and 106th  
streets.

Lexington avenue sewer, between 110th and 115th  
streets.

Avenue B sewer, between 16th and 17th streets.  
2d avenue, east side, sewer, between 61st and 62d  
streets, and west side, between 61st and 62d streets.

Section 5 of the said act provides that, "If any such  
assessment shall remain unpaid for the period of sixty  
days after the date of entry thereof in the said record of  
titles of assessments, it shall be the duty of the officer au-  
thorized to collect and receive the amount of such assess-  
ment, to charge, collect, and receive legal interest thereon,  
at the rate of seven per centum per annum, to be calcu-  
lated from the date of such entry to the date of payment."

The above assessments are payable to the Collector of  
Assessments and Clerk of Arrears, at the "Bureau for the  
Collection of Assessments, and of Arrears of Taxes and  
Assessments and of Water Rents," from 9 A. M. until 2  
P. M., and all payments made thereon, on or before  
March 20, 1882, will be exempt from interest as above pro-  
vided, and after that date will be subject to a charge of  
interest at the rate of seven per centum per annum from the  
date of entry in the record of titles of assessments in said  
Bureau.

ALLAN CAMPBELL,  
Comptroller.

## INTEREST ON CITY STOCKS.

THE INTEREST ON THE BONDS AND STOCKS  
of the City of New York, due February 1, 1882,  
will be paid on that day by the Comptroller, at his office  
in the New County Court-house.

The transfer-books will be closed from January 18 to  
February 1, 1882.  
ALLAN CAMPBELL,  
Comptroller.  
FINANCE DEPARTMENT—COMPTROLLER'S OFFICE,  
NEW YORK, January 12, 1882.

## 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 trans-  
fers of real estate in the City of New York from 1653 to  
1882, prepared under the direction of the Commissioners  
of Records.

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

ALLAN CAMPBELL,  
Comptroller.

## NOTICE TO TAXPAYERS.

RELATING TO THE PAYMENT OF UNPAID  
TAXES, ASSESSMENTS, AND CROTON WATER  
RENTS.

THE COMPTROLLER OF THE CITY OF NEW  
York hereby gives notice to owners of real and per-  
sonal estate in this city, that all unpaid taxes, assess-  
ments, and Croton water rents may now be paid with  
interest thereon at the rate of seven per cent. per annum,  
as provided by chapter 33 of the Laws of 1881, which is as  
follows:

## CHAPTER 33.

AN ACT relative to the collection of taxes and assessments,  
and of arrears of taxes and assessments, and Croton  
water rents, in the City of New York.

(Passed March 16, 1881; three-fifths being present.)

The People of the State of New York, represented in  
Senate and Assembly, do enact as follows:

Section 1. If any taxes of any year shall remain unpaid  
on the first day of November, after the assessment-rolls  
and the warrants to collect such taxes have been delivered  
to the Receiver of Taxes in the City of New York, it shall  
be the duty of said Receiver to give public notice, by ad-  
vertisement for at least ten days in two of the daily news-  
papers, and in the CITY RECORD, printed and published in  
said city, respectively, that unless the same shall be paid  
to him at his office on or before the first day of December,  
in any such year, he will immediately thereafter proceed  
to collect such unpaid taxes, as provided in the following  
section of this act:

Section 2. If any such tax shall remain unpaid on the  
said first day of December, it shall be the duty of the said  
Receiver of Taxes in said city to charge, receive, and collect  
upon such tax so remaining unpaid on that day, in addi-  
tion to the amount of such tax, one per centum on the  
amount thereof; and to charge, receive, and collect upon  
such tax so remaining unpaid on the first day of January  
thereafter, interest upon the amount thereof at the rate  
of seven per centum per annum, to be calculated from  
the day on which said assessment-rolls and warrants  
shall have been delivered to the said Receiver of Taxes to  
the date of payment.

The same rate of interest shall be so charged and col-  
lected upon any tax levied in the year eighteen hundred  
and eighty, remaining unpaid at the date of the passage of  
this act.

Section 3. All existing provisions of law which impose a  
charge and require the collection of interest at the rate of  
twelve per centum per annum upon arrears of taxes on  
real and personal estate within the City of New York,  
upon arrears of assessments for local improvements and  
street openings in said city, and upon arrears of Croton  
water rents of said city, are hereby repealed; and in lieu  
of such charge of interest at the rate of twelve per centum  
per annum, there shall be charged and collected by the  
officer authorized to collect and receive any such arrears  
of taxes and assessments and Croton water rents, interest  
upon the amount thereof at the rate of seven per centum  
per annum, to be calculated for the same period as inter-  
est at the rate of twelve per centum per annum is now re-  
quired by law to be calculated thereon. This provision  
shall apply to taxes, assessments, or Croton water rents  
remaining unpaid and due, for the non-payment of which  
the lands and tenements liable therefor shall be hereafter  
sold at public auction as now provided by law; provided,  
however, that nothing in this act shall be construed to  
affect the rights of purchasers at sales for taxes, assess-  
ments, or Croton water rents, heretofore made, or to  
authorize the redemption of lands and tenements from  
sales heretofore made for any lesser sums than the sums  
collectible for such redemption under the provisions of  
existing laws.

Section 4. It shall be the duty of the Comptroller of the  
City of New York to give public notice by advertisement,  
for at least ten days, in the CITY RECORD, printed and  
published in said city, immediately after the confirmation  
of any assessment for a local improvement or street open-  
ing in said city, that the same has been confirmed  
specifying the title of such assessment and the date of its  
confirmation by the Board of Revision and Correction of  
Assessments in proceedings for local improvements, and  
by the Supreme Court in proceedings for street openings,  
and also the date of entry in the record of titles of assess-  
ments kept in the Bureau for the Collection of Assessments

and of Arrears of Taxes and Assessments, and of Croton  
Water Rents, notifying all persons, owners of property  
affected by any such assessment, that, unless the amount  
assessed for benefit on any person or property shall be  
paid within sixty days after the date of said entry of any  
such assessment, interest shall thereafter be collected  
thereon as provided in the following section of this act,  
and all provisions of law or ordinance requiring any other  
or different notice of assessments and interest thereon are  
hereby repealed.

Section 5. If any such assessment shall remain unpaid  
for the period of sixty days after the date of entry thereof  
in the said record of titles of assessments, it shall be the  
duty of the officer authorized to collect and receive the  
amount of such assessment, to charge, collect, and receive  
legal interest thereon, at the rate of seven per centum per  
annum, to be calculated from the date of such entry to the  
date of payment.

Section 6. This act shall take effect immediately.  
ALLAN CAMPBELL,  
Comptroller.  
CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE, March 18, 1881.

ORDER OF THE COMPTROLLER OF THE CITY  
OF NEW YORK, CONSOLIDATING CERTAIN  
BUREAUX IN THE FINANCE DEPART-  
MENT.

SECTION 3 OF CHAPTER 521 OF THE LAWS  
of 1880, requires that heads of departments shall  
reduce the aggregate expenses of their respective  
departments by a reduction of salaries, and confers upon  
them authority to consolidate bureaux and offices for that  
purpose, as follows, to wit:

"In making the reduction herein required, every head  
of department may abolish and consolidate offices and  
"bureaux, and discharge subordinates in the same  
"department."

The Comptroller of the City of New York, in pursuance  
of the duty imposed and the authority thus conferred upon  
him, hereby orders and directs that the following Bureaux  
in the Finance Department shall be consolidated, the  
consolidation thereof to take effect on the first day of  
January, 1881, viz.:

Firs—"The Bureau for the Collection of Assessments,"  
and "The Bureau for the Collection of Arrears of Taxes  
and Assessments, and of Water Rents," shall be consoli-  
dated as one bureau, and on and after January 1, 1881,  
shall be known as "The Bureau for the Collection of  
Assessments and of Arrears of Taxes and Assessments and  
of Water Rents," and possess all the power conferred and per-  
form all the duties imposed by law and ordinance upon  
both of said bureaux, and the officers thereof, the chief  
officer of which consolidated bureau shall be called "Col-  
lector of Assessments and Clerk of Arrears."

Second—"The Bureau for the Collection of the Revenue  
arising from rents, and interest on bonds and mortgages,  
revenue arising from the use or sale of property belong-  
ing to or managed by the city," and "The Bureau of  
Markets," shall be consolidated as one Bureau, and on  
and after January 1, 1881, shall be known as "The  
Bureau for the Collection of City Revenue and of  
Markets," and possess all the powers conferred and per-  
form all the duties imposed by law and ordinance upon  
both said bureaux, and the officers thereof; the chief  
officer of which said consolidated bureau shall be called  
"Collector of City Revenue and Superintendent of  
Markets."

CITY OF NEW YORK, FINANCE DEPARTMENT,  
COMPTROLLER'S OFFICE, Dec. 31, 1880.  
ALLAN CAMPBELL,  
Comptroller.

FINANCE DEPARTMENT—COMPTROLLER'S OFFICE,  
NEW YORK, January 22, 1880.

NOTICE TO OWNERS OF REAL ESTATE IN THE  
TWENTY-THIRD AND TWENTY-FOURTH  
WARDS OF THE CITY OF NEW YORK.

THE COMPTROLLER OF THE CITY OF NEW  
York hereby gives notice to owners of real estate in  
the Twenty-third and Twenty-fourth Wards, that pursuant  
to an act of the Legislature of the State of New York,  
entitled "An act to provide for the adjustment and pay-  
ment of unpaid taxes due the county of Westchester by  
the towns of West Farms, Morrisania, and Kingsbridge,  
lately annexed to the city and county of New York,"  
passed May 22, 1878, the unpaid taxes of said town have  
been adjusted and the amount determined as provided in  
said act, and that the accounts, including sales for taxes  
levied prior to the year 1874, by the Treasurer of the  
County of Westchester, and bid in on account of said  
towns, and also the unpaid taxes of the year 1873, known  
as Rejected Taxes, have been filed for collection in the  
Bureau of Arrears in the Finance Department of the City  
of New York.

Payments for the redemption of lands so sold for taxes  
by the Treasurer of the County of Westchester, and bid  
in on account of said towns, and payments also of said  
Rejected Taxes of the year 1873, must be made hereafter  
to the Clerk of Arrears of the City of New York.

N. B.—Interest at the rate of twelve per cent. per annum  
is due and payable on the amount of said sales for taxes  
and said rejected taxes.

ALLAN CAMPBELL,  
Comptroller.

DEPARTMENT OF TAXES AND  
ASSESSMENTS.

DEPARTMENT OF TAXES AND ASSESSMENTS,  
NO. 32 CHAMBERS STREET,  
NEW YORK, January 9, 1882.

NOTICE IS HEREBY GIVEN THAT THE  
books of Annual Record of the assessed valuation  
of Real and Personal Estate of the City and County of  
New York for the year 1882, will be opened for inspection  
and revision, on and after Monday, January 9, 1882, and  
will remain open until the 30th day of April, 1882,  
inclusive, for the correction of errors and the equalization  
of the assessments of the aforesaid real and personal  
estate.

All persons believing themselves aggrieved must make  
application to the Commissioners during the period above  
mentioned, in order to obtain the relief provided by law.  
By order of the Board.

ALBERT STORER,  
Secretary.

## ASSESSMENT COMMISSION.

THE COMMISSIONERS APPOINTED BY CHAP-  
ter 550 of the Laws of 1880, to revise, vacate, or  
modify assessments for local improvements in the City  
of New York, give notice to all persons affected thereby that  
the notices required by the said act must be filed with  
the Comptroller of said city and a duplicate thereof with  
the Counsel to the Corporation, as follows:

As to all assessments confirmed subsequent to  
June 9, 1880, for local improvements theretofore com-  
pleted, and as to any assessment for local improvements  
known as Morningstar avenues, notices must be filed  
within two months after the dates upon which such  
assessments may be respectively confirmed.

The notice must specify the particular assessment com-  
plained of, the date of the confirmation of the same, the  
property affected thereby, and in a brief and concise  
manner the objections thereto, showing, or tending to  
show, that the assessment was unfair or unjust in re-  
spect to said real estate.

Dated, No. 27 CHAMBERS STREET, May 18, 1881.  
EDWARD COOPER,  
JOHN KELLY,  
ALLAN CAMPBELL,  
GEORGE H. ANDREWS,  
DANIEL LORD, Jr.,  
Commissioners under the Act

JAMES J. MARTIN,  
Clerk.