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LAW DEPARTMENT.

OPINION OF THE COUNSEL TO THE CORPORATION.

Delays in the successive steps legally required in the making of a contract on behalf of the city, whereby, by reason of lapse of time, certain parts thereof cannot be executed within the period stipulated in the proposals, form no ground for annulling the contract where the contractor is not in fault.

Opinions from the Law Department can emanate only from its head; and in the multiplicity of opinions required by the various departments and officers of the Municipal Government, especially under recent extensive changes in the laws, it is desirable that when immediate consideration of a question is important, the urgency should be distinctly called to the personal attention of the Counsel to the Corporation.

LAW DEPARTMENT, OFFICE OF THE COUNSEL TO THE CORPORATION, NEW YORK, Dec. 16, 1873.

The Honorable, the Commissioners of the Department of Docks,

GENTLEMEN:—On the 12th instant, in an opinion transmitted to the Comptroller, I advised that certain technical omissions in the steps taken toward the execution of a contract with the Onico Quarry Company, for the delivery of granite to your Department, should be disregarded, and the contract be consummated. The opinion will be found printed in THE CITY RECORD at an early day; if necessary a copy can be furnished you from this office or from that of the Finance Department. No intimation reached me of the importance of an early transmission of this opinion. By nearly every officer and department of the city government I am constantly called upon for legal opinions, and these requisitions are increased to a considerable degree by extensive and sometimes crude legislative enactments recently adopted relating to the government of this city. Except in the case of your Department, no complaint of delay has reached me from any quarter, and the letter calling for the opinion above mentioned appears to have been placed by a clerk in this office with the communication referred to in my personal letter to you of the 11th instant, and to have failed to receive earlier attention for the same reasons stated in that letter. All opinions from this office receive my individual attention; and although I have been habitually prompt and diligent, it can hardly be avoided that the patience of my official correspondents must at times, though I am sure not often, be invoked.

You now state that as it is impossible to ship granite from Maine until the ensuing spring, and as the time (December 1) has expired within which the Onico Quarry Company under their contract were to deliver the granite stones required by your department, my opinion is asked whether the dock department is now bound by the award of the contract to that Company. As I understand the matter, the delays which have attended the completion of the preliminaries necessary to the making of this contract, have been caused by objections raised in the first place by your department, as to whether, under the circumstances accompanying and following the opening of the bids, the Onico Company was entitled to the award, and secondly, by further objections subsequently interposed in the Finance Department touching the due and legal execution of the proposals made by this company for the contract. All these objections, both those raised in your department and in the Department of Finance, have been overruled as not legally tenable. I may, of course, be mistaken, but I am under the impression that the history of the negotiations does not fix the responsibility of delay upon the Company. If this be so, and they are without legal fault, then their

right in law to execute the contract at the earliest practicable time cannot be disregarded without involving your department and the city in a litigation wherein the company would, in my judgment, be successful.

Through some omission or clerical error, the urgency of this matter was not until recently made known to me. In dealing with the various questions submitted, it has been my duty to consider them in their legal aspects with a view of saving the city from litigation, and without reference to what your department and mine might have deemed desirable, if unrestrained by settled rules of law.

If there are other questions pending in this office in which your department may be interested, you have only to call my attention to them to secure their earliest practicable determination.

I am, gentlemen,
Very respectfully,
Your obedient servant,
E. DELAFIELD SMITH,
Counsel to the Corporation.

It is not the duty of the Counsel to the Corporation, although requested by the Head of a Department, to prosecute an appeal, when, after diligent investigation, it plainly appears to his judgment, upon the facts, that further litigation can be productive of nothing but additional costs and expenses to the city.

LAW DEPARTMENT, OFFICE OF THE COUNSEL TO THE CORPORATION, New York, December 15, 1873.

Hon. Andrew H. Green, Comptroller,

SIR: I received your letter of the 7th instant in reference to the case of Jacob Solis Ritterband. You state that you are exceedingly anxious that this case should be considered upon its merits, and would request that an appeal be taken and a stay of proceedings obtained, and that the claim be contested upon the ground that no appropriation involving this expenditure was ever made, and that, consequently, this relator is not entitled to the salary which he claims, or if he is entitled to any salary, that it should be at the rate of \$8000 per annum, which is the sum at which his compensation has been certified by the Commissioners of Taxes and Assessments for the period for which he makes claim.

In view of the proceedings heretofore had in this case, I am surprised by your letter, and can only conjecture that the facts have not been brought to your personal attention.

In your letter to me of the 31st of October last, transmitting the papers in this matter, the only defence suggested, was, there was no appropriation out of which the claim could be paid.

For the purpose of fully ascertaining all the facts, and of obtaining the data necessary for the preparation of affidavits, I directed a competent clerk in this office to call at the finance department, and he did so a number of times, and had several protracted interviews with the Auditor of Accounts and with Mr. Assistant Comptroller Storrs. The question whether there was an appropriation to pay the claim was thoroughly examined and considered; and after such examination and consideration, the Auditor and Mr. Storrs each stated that he could not conscientiously make an affidavit that there was no appropriation out of which the claim could be paid, and declined to make an affidavit. Subsequent to such decision of the Auditor and Mr. Storrs, my clerk, at the request of my assistant, Mr. George P. Andrews, again called at the Finance Department, and stated to the Auditor and Mr. Storrs, that there was no possible defence that could be set up in the case, unless it was that of no appropriation, and that unless the affidavit previously requested could be furnished, the peremptory writ of mandamus would certainly issue. The Auditor and Mr. Storrs again declined to make such an affidavit. On the morning upon which the case was to be heard, my assistant, Mr. George P. Andrews, in order that there might be no possible mistake about the matter, called at the Finance Department and saw Mr. Storrs. Mr. Storrs explained the whole case to Mr. Andrews, so far as related to the question whether there was an appropriation, and again said that it would be impossible for him to make the affidavit. Under these circumstances there was no objection to the issuing of the writ which could be presented to the court, and the order for the mandamus was granted as a matter of course. An affidavit had been prepared, which the Auditor was willing to

verify, but it was merely to the effect that the claim had not been audited. As the proceeding, however, was against the Auditor himself, as well as the Comptroller, and as upon an order to show cause why a claim should not be audited, it is no answer to say that it has not been, the affidavit was not and could not be used. I am fully acquainted with the grounds upon which the Auditor and Mr. Storrs declined to make an affidavit that there was no appropriation, and I am satisfied they could not and ought not to have made such affidavit. Indeed, I think it so clear that there is an appropriation from which the claim can be lawfully paid, that I am strongly inclined to the opinion that if either the Auditor or Mr. Storrs, who are both familiar with all the facts, should make an affidavit that there is no such appropriation, he would be liable to prosecution and conviction for perjury.

You state in your letter of the 12th inst., that you wish to have the defence set up that if Mr. Ritterband is entitled to any salary, he is only to be paid \$8,000 per annum. You will see by reference to your letter of the 31st of October, that this defence was not originally mentioned. The point, however, having been suggested by the Auditor, was fully considered before the case was submitted to the court, and found to be wholly untenable. The act of the Legislature under which Mr. Ritterband was appointed, (Act of May 17, 1869, section 2,) authorizes the Board of Supervisors to fix the salary of the counsel for the commission of taxes and assessments, and by a resolution of the board, adopted July 5, 1869, such salary was fixed at the sum of \$10,000 per annum. Mr. Ritterband's salary was, therefore, established by law, at \$10,000 a year, and the Commissioners of taxes and assessments had no power to change it. They could have removed him from office; but the power to determine what his salary should be, was vested in the board of Supervisors, subject to be regulated during the years 1871 and 1872 by the Board of Apportionment. As a matter of fact, however, it was ascertained, upon inquiry at the office of the Tax Commissioners, before the case was submitted to the Court, that the Commissioners did not intend to reduce or regulate Mr. Ritterband's salary. The Board of Apportionment, having allowed them a gross sum, which was less than they had asked for, they were under the apprehension that their appropriation would be exhausted before the expiration of the year, and accordingly certified Mr. Ritterband's salary at the rate of only \$8,000 per annum. They did so, however, without intending that his annual salary should be (or supposing that it thereby was) reduced below the sum fixed by the Board of Supervisors; they supposed that sufficient money had not been appropriated to pay Mr. Ritterband's salary in full, and so they intended to have him paid only such amount as the appropriation would allow. This is the view of the matter taken by one of the present Commissioners, who was a member of the old Board of which Mr. Ritterband was the Counsel.

Under these circumstances, I advise you that an appeal from the order directing the writ of mandamus to issue, would be wholly fruitless; that the defence of a want of an appropriation to pay the claim could not now be set up, if such appeal were taken; that such a defence was not and could not be set up by me, because the gentlemen who usually furnish information and make affidavits to be used in the Courts in reference to such matters, positively declined to make such affidavits in this case; that such affidavits, if made, would have been untrue; and that the only proper and possible course to be taken by the Finance Department, is to audit and pay the claim at once.

I am, sir,
Very respectfully, yours,
E. DELAFIELD SMITH,
Counsel to the Corporation.

POLICE DEPARTMENT.

The Board of Police met on the 18th day of December, 1873. Present—Messrs. Smith, Charlack, Gardner and Duryee, Commissioners.

Leaves of Absence Granted.

Sergeant James M. Miller, 25th precinct, ½ day.
Sergeant Richard Cornwell, 14th precinct, ½ day.
Patrolman Thomas Harney, 32d precinct, 2 days without pay.
Patrolman Bernard Connolly, 25th precinct, ½ day without pay.
Patrolman Bartholemew Mullane, 17th precinct, ½ day without pay.
Patrolman Sanford B. Horton, 10th precinct, ½ day without pay.
Patrolman William Gardner, 7th precinct, ½ day without pay.
James W. Fitzsimmons, 14th precinct, ½ day without pay.
Patrolman Patrick Whelan, 31st precinct, ½ day without pay.
Patrolman Lawrence Burke, 14th precinct, ½ day without pay.
Patrolman Thomas F. Thompson, 5th precinct, ½ day without pay.

Parade Allowed.
Veteran Guards, Dec. 18—parade.
Bill Ordered Paid.

Capt. McCullough, 29th precinct, \$5.00
Communication from the Board of Health, transmitting copy of the report of Sanitary Inspectors Morris and Nealis, relative to premises No. 2 West Houston street, was referred to the Captain of the 8th precinct to abate the nuisance.

Leave was granted under the Rule to

Patrolman Robert Harris, Twelfth precinct to receive \$5.00.

Communications from George H. Shelden, Fire Marshal, asking that Patrolman Charles H. Reinisch be allowed leave to go to Buffalo, for the purpose of making an arrest. Granted.

Communication from the Health Department, being a resolution requesting this Board to enforce the Sanitary Code, relating to the cartage of offal &c., was referred to the Superintendent to issue a General Order directing the enforcement of section 180 of said code.

Transfers Ordered.

Roundsman Michael R. Curran, from Sixth to Nineteenth precinct.
Roundsman John Reed, from Nineteenth to Twenty-first precinct.
Doorman Carl Georgia, from Twentieth to Twenty-ninth precinct.
Doorman Leonard Walling, from Twenty-ninth to Twentieth precinct.
Patrolman William J. Clark, from Fifth to Eleventh precinct.
Patrolman Max Meiers, from Eleventh to Fifth precinct.
Patrolman Daniel Quigley, from Fifth to Eighth precinct.
Patrolman Cornelius Byron, from Seventh to Eighth precinct.
Patrolman James Mulligan, from Seventh to Eighth precinct.
Patrolman Thomas S. Regan, from Seventh to Eighth precinct.
Patrolman John D. Fredericks, from Twentieth to Eighth precinct.
Patrolman John Shea, from Twentieth to Eighth precinct.
Patrolman Lawrence Clark, from Eighth to Fifteenth precinct.

Communication from H. H. Cahill, M. D., complaining of Patrolman George Nolan, 29th precinct, for non-payment of debt, was ordered on file.

Street Cleaning.

Communication from Inspector Thorne, in response to a resolution of the Board of Assistant Aldermen, dated 15th inst., making inquiries relative to a discontinuance of street cleaning, was ordered on file, and a copy thereof directed to be forwarded to said Board.

Adjourned.

S. C. HAWLEY,
Chief Clerk.

DEPARTMENT OF PUBLIC PARKS.

Abstract of the proceedings of the Board of Commissioners of the Department of Public Parks, for the week ending Saturday, December 20th, 1873.

MONDAY, December, 15th, 1873.
SPECIAL MEETING.

The proposition made by Mr. Anthony Waterer to hold a Rhododendron Exhibition in the Central Park, was referred to the President to report upon.

A petition was received signed by George Opydyke, R. W. Stuart, C. D. Dickey and about three hundred others, requesting that a Public Park be located at the termination of 145th Street and 5th and 6th Avenues.

The death of Police Surgeon W. C. Roberts, M. D., which took place on the 9th inst., was reported to the Board.

At a meeting held on the 17th inst., the President was authorized to employ the Police force in removing tenants or other occupiers of the premises under control of the Department, whenever he should deem it necessary.

Bills Audited.

Construction \$4,060

The following re-appointments were made at the salaries now attached to the several offices; those mentioned below to take effect from 1st of January, 1874.

Wm. H. Grant, civil and topographical engineer, \$5,200 per annum.

Daniel Draper, meteorological director, \$3,000 per annum.

Robert Demcker, landscape gardener, \$3,500 per annum.

Charles B. Trimble, clerk, \$2,000 per annum.

Joseph F. Belton, clerk, \$1,800 per annum.

Wm. Henry Hoyt, clerk, \$1,800 per annum.

F. C. A. Hecker, clerk, \$1,200 per annum.

Thomas B. Ingram, clerk, \$1,200 per annum.

Morris E. Sterne, clerk, \$1,200 per annum.

Henry Carpenter, messenger, \$2.50 per day.

John McLaughlin, messenger, \$2.50 per day.

Horace A. Whitney, messenger, \$2.50 per day.

Alfred A. Whittemore, messenger, \$2.50 per day.

John Watkins, janitor, \$3.50 per day.

The salaries of D. Porter Lord, chief clerk, and Wm. Van Valkenburgh, disbursing clerk, were each increased \$500 per annum from and after January 1, 1874.

WM. IRWIN,
Secretary D. P. P.

OFFICIAL CANVASS

OF THE COUNTY OF NEW YORK.

ELECTION NOVEMBER 4, 1873.

VOTE IN DETAIL

ANNEXATION.

Annexation of the towns of Morrisania, West Farms and Kings Bridge to the City and County of New York.

FIRST ASSEMBLY DISTRICT.

Table for First Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

SECOND ASSEMBLY DISTRICT.

Table for Second Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

THIRD ASSEMBLY DISTRICT.

Table for Third Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

FOURTH ASSEMBLY DISTRICT.

Table for Fourth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

FIFTH ASSEMBLY DISTRICT.

Table for Fifth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

SIXTH ASSEMBLY DISTRICT.

Table for Sixth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

SEVENTH ASSEMBLY DISTRICT.

Table for Seventh Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

EIGHTH ASSEMBLY DISTRICT.

Table for Eighth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

NINTH ASSEMBLY DISTRICT.

Table for Ninth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

TENTH ASSEMBLY DISTRICT.

Table for Tenth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

ELEVENTH ASSEMBLY DISTRICT.

Table for Eleventh Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

TWELFTH ASSEMBLY DISTRICT.

Table for Twelfth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

THIRTEENTH ASSEMBLY DISTRICT.

Table for Thirteenth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

FOURTEENTH ASSEMBLY DISTRICT.

Table for Fourteenth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

FIFTEENTH ASSEMBLY DISTRICT.

Table for Fifteenth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

SIXTEENTH ASSEMBLY DISTRICT.

Table for Sixteenth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

SEVENTEENTH ASSEMBLY DISTRICT.

Table for Seventeenth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

EIGHTEENTH ASSEMBLY DISTRICT.

Table for Eighteenth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

NINETEENTH ASSEMBLY DISTRICT.

Table for Nineteenth Assembly District showing election districts (First to Twelfth) with columns for For, Against, Defective, Blank, and Whole Vote.

Table for TWENTIETH ASSEMBLY DISTRICT, VOTE FOR TREASURER. Includes columns for Election Districts, For, Against, Defective, Blank, and Whole Vote.

Table for VOTE FOR TREASURER RECAPITULATION. Includes columns for Assembly Districts, Thomas Raines, Daniel G. Fort, Defective, Blank, Scattering, and Whole Vote.

Table for VOTE FOR INSPECTOR OF STATE PRISONS RECAPITULATION. Includes columns for Assembly District, George W. Millsbank, Moss K. Platt, Defective, Blank, Scattering, and Whole Vote.

Table for VOTE FOR COUNTY CLERK RECAPITULATION. Includes columns for Assembly Districts, William Walsh, Jacob M. Patterson, Jr., Defective, Blank, Scattering, and Whole Vote.

Table for TWENTY-FIRST ASSEMBLY DISTRICT, VOTE FOR SECRETARY OF STATE. Includes columns for Election Districts, For, Against, Defective, Blank, and Whole Vote.

Table for VOTE FOR ATTORNEY-GENERAL RECAPITULATION. Includes columns for Assembly Districts, Daniel Pratt, Benjamin D. Sullivan, Defective, Blank, Scattering, and Whole Vote.

Table for AMENDMENTS, Appointment or Election of the Chief Judge and Associate Judges of the Court of Appeals and of Justices of the Supreme Court. Includes columns for Assembly Districts, Yes, No, Defective, Blank, and Whole Vote.

Table for VOTE FOR JUSTICES OF THE SUPREME COURT RECAPITULATION. Includes columns for Assembly Districts, Abraham K. Lawrence, Charles Donohue, Charles H. Van Brunt, Enoch L. Fancher, Defective, Blank, Scattering, and Whole Vote.

Table for VOTE FOR SECRETARY OF STATE RECAPITULATION. Includes columns for Assembly Districts, Diedrich Willers, Jr., Francis S. Thayer, Defective, Blank, Scattering, and Whole Vote.

Table for VOTE FOR STATE ENGINEER AND SURVEYOR RECAPITULATION. Includes columns for Assembly Districts, Sylvanus H. Sweet, William B. Taylor, Defective, Blank, Scattering, and Whole Vote.

Table for AMENDMENTS, Appointment or Election of Judges of City and County Courts. Includes columns for Assembly Districts, Yes, No, Defective, Blank, and Whole Vote.

Table for VOTE FOR JUDGES OF THE SUPERIOR COURT RECAPITULATION. Includes columns for Assembly Districts, Claudius L. Monell, Gilbert M. Speir, Alexander Spaulding, Isaac Dayton, Defective, Blank, Scattering, and Whole Vote.

Table for VOTE FOR COMPTROLLER RECAPITULATION. Includes columns for Assembly Districts, Asher P. Nichols, Nelson K. Honkins, Defective, Blank, Scattering, and Whole Vote.

Table for VOTE FOR CANAL COMMISSIONER RECAPITULATION. Includes columns for Assembly Districts, James Jackson, Jr., Sidney Mead, Defective, Blank, Scattering, and Whole Vote.

Table for VOTE FOR SHERIFF RECAPITULATION. Includes columns for Assembly Districts, William C. Conner, John McCool, John Foley, Defective, Blank, Scattering, and Whole Vote.

Table for VOTE FOR JUSTICES OF THE MARINE COURT RECAPITULATION. Includes columns for Assembly Districts, David McAdam, Henry Alker, Roswell D. Hatch, Henry E. Howland, Defective, Blank, Scattering, and Whole Vote.

VOTE FOR CORONERS. RECAPITULATION.

Table with columns for Assembly Districts and candidates: Richard Croker, Henry Wolman, Anthony Eckhoff, Cornelius Flynn, Michael Cregan, Andreas Willmann, Defective, Blank, Scattering, Whole Vote.

VOTE FOR SENATOR FOR THE FOURTH SENATORIAL DISTRICT. FIRST ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: John Fox, Morgan Jones, Defective, Blank, Scattering, Whole Vote.

VOTE FOR SENATOR FOR THE FIFTH SENATORIAL DISTRICT. FIFTH ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: James W. Booth, Vincent C. King, Defective, Blank, Scattering, Whole Vote.

VOTE FOR ALDERMAN, (to serve the remainder of the unexpired term of Peter Gilsey, deceased).

RECAPITULATION.

Table with columns for Assembly Districts and candidates: Edward Gillon, Joel W. Mason, Defective, Blank, Scattering, Whole Vote.

TWELFTH ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: Samuel S. Cox, Julius Wadsworth, Defective, Blank, Scattering, Whole Vote.

SECOND ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: John Fox, Morgan Jones, Defective, Blank, Scattering, Whole Vote.

SEVENTH ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: James W. Booth, Vincent C. King, Defective, Blank, Scattering, Whole Vote.

VOTE FOR ANNEXATION

Of the Towns of Morrisania, West Farms and Kings Bridge, to the City and County of New York.

RECAPITULATION.

Table with columns for Assembly Districts and categories: For, Against, Defective, Blank, Whole Vote.

SIXTEENTH ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: Samuel S. Cox, Julius Wadsworth, Defective, Blank, Scattering, Whole Vote.

THIRD ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: John Fox, Morgan Jones, Defective, Blank, Scattering, Whole Vote.

NINTH ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: James W. Booth, Vincent C. King, Defective, Blank, Scattering, Whole Vote.

VOTE FOR REPRESENTATIVE IN CONGRESS FOR THE SIXTH CONGRESSIONAL DISTRICT.

SIXTH ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: Samuel S. Cox, Julius Wadsworth, Defective, Blank, Scattering, Whole Vote.

EIGHTEENTH ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: Samuel S. Cox, Julius Wadsworth, Defective, Blank, Scattering, Whole Vote.

FOURTH ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: John Fox, Morgan Jones, Defective, Blank, Scattering, Whole Vote.

THIRTEENTH ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: James W. Booth, Vincent C. King, Defective, Blank, Scattering, Whole Vote.

EIGHTH ASSEMBLY DISTRICT.

Table with columns for Election Districts and candidates: Samuel S. Cox, Julius Wadsworth, Defective, Blank, Scattering, Whole Vote.

RECAPITULATION.

Table with columns for Assembly Districts and candidates: Samuel S. Cox, Julius Wadsworth, Defective, Blank, Scattering, Whole Vote.

RECAPITULATION.

Table with columns for Election Districts and candidates: John Fox, Morgan Jones, Defective, Blank, Scattering, Whole Vote.

RECAPITULATION.

Table with columns for Assembly Districts and candidates: James W. Booth, Vincent C. King, Defective, Blank, Scattering, Whole Vote.

VOTE FOR SENATOR OF THE SIXTH SENATORIAL DISTRICT. EIGHTH ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Jacob A. Gross, George Heneken, Jr., E. L. Kuntz, Defective, Blank, Scattering, Whole Vote.

VOTE FOR SENATOR FOR THE SEVENTH SENATORIAL DISTRICT. ELEVENTH ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Thomas A. Ledwith, James Everard, Defective, Blank, Scattering, Whole Vote.

VOTE FOR SENATOR FOR THE EIGHTH SENATORIAL DISTRICT. SEVENTEENTH ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Hugh H. Moore, Walter S. Pinckney, Robert McCafferty, Defective, Blank, Scattering, Whole Vote.

VOTE FOR MEMBER OF ASSEMBLY FOR THE FIRST ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: James Henly, M. W. Burns, Daniel Kennedy, Defective, Blank, Scattering, Whole Vote.

TENTH ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Jacob A. Gross, George Heneken, Jr., E. L. Kuntz, Defective, Blank, Scattering, Whole Vote.

FIFTEENTH ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Thomas A. Ledwith, James Everard, Defective, Blank, Scattering, Whole Vote.

NINETEENTH ASSEMBLY DIST.

Table with columns for ELECTION DISTRICTS and candidates: Hugh H. Moore, Walter S. Pinckney, Robert McCafferty, Defective, Blank, Scattering, Whole Vote.

VOTE FOR MEMBER OF ASSEMBLY FOR THE SECOND ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: William P. Kirk, Thomas Willard, Defective, Blank, Scattering, Whole Vote.

TWELFTH ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Jacob A. Gross, George Heneken, Jr., E. L. Kuntz, Defective, Blank, Scattering, Whole Vote.

SIXTEENTH ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Thomas A. Ledwith, James Everard, Defective, Blank, Scattering, Whole Vote.

TWENTIETH ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Hugh H. Moore, Walter S. Pinckney, Robert McCafferty, Defective, Blank, Scattering, Whole Vote.

VOTE FOR MEMBER OF ASSEMBLY FOR THE THIRD ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: James Hayes, Thomas F. Geary, Thomas Mullanigan, Defective, Blank, Scattering, Whole Vote.

FOURTEENTH ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Jacob A. Gross, George Heneken, Jr., E. L. Kuntz, Defective, Blank, Scattering, Whole Vote.

EIGHTEENTH ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Thomas A. Ledwith, James Everard, Defective, Blank, Scattering, Whole Vote.

TWENTY-FIRST ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Hugh H. Moore, Walter S. Pinckney, Robert McCafferty, Defective, Blank, Scattering, Whole Vote.

VOTE FOR MEMBER OF ASSEMBLY FOR THE FOURTH ASSEMBLY DISTRICT.

Table with columns for ELECTION DISTRICTS and candidates: Charles Reilly, James Ryan, Defective, Blank, Scattering, Whole Vote.

RECAPITULATION.

Summary table for the first four assembly districts.

RECAPITULATION.

Summary table for the next four assembly districts.

RECAPITULATION.

Summary table for the next four assembly districts.

VOTE FOR MEMBER OF ASSEMBLY FOR THE FIFTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, Austin Leake, George L. Leland, Arthur J. Delaney, Defective, Blank, Scattering, Whole Vote. Rows: First through Twenty-eighth.

VOTE FOR MEMBER OF ASSEMBLY FOR THE NINTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, George B. Dean, A. J. Mathewson, E. M. Trapneger, Patrick Hennon, James E. McVeany, Defective, Blank, Scattering, Whole Vote. Rows: First through Twenty-seventh.

VOTE FOR MEMBER OF ASSEMBLY FOR THE THIRTEENTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, Charles S. Spencer, Joseph H. Horton, Stephen D. Peters, Defective, Blank, Scattering, Whole Vote. Rows: First through Twenty-second.

VOTE FOR MEMBER OF ASSEMBLY FOR THE SEVENTEENTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, Andrew Blessing, Clark F. Whitmore, Saml. J. Mehten, Defective, Blank, Scattering, Whole Vote. Rows: First through Thirtieth.

VOTE FOR MEMBER OF ASSEMBLY FOR THE SIXTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, Matthew Patten, Daniel F. Crowley, Edward A. Blake, Defective, Blank, Scattering, Whole Vote. Rows: First through Eighteenth.

VOTE FOR MEMBER OF ASSEMBLY FOR THE TENTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, Louis Esher, Louis C. Wachner, Defective, Blank, Scattering, Whole Vote. Rows: First through Twenty-second.

VOTE FOR MEMBER OF ASSEMBLY FOR THE FOURTEENTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, Carl Schwedler, James D. Daly, John Murphy, Defective, Blank, Scattering, Whole Vote. Rows: First through Fifteenth.

VOTE FOR MEMBER OF ASSEMBLY FOR THE EIGHTEENTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, Bernard Biggin, Henry McCabe, William G. Choate, Defective, Blank, Scattering, Whole Vote. Rows: First through Twenty-sixth.

VOTE FOR MEMBER OF ASSEMBLY FOR THE SEVENTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, George W. Clark, Alfred Wagstaff, jr., Defective, Blank, Scattering, Whole Vote. Rows: First through Twenty-first.

VOTE FOR MEMBER OF ASSEMBLY FOR THE ELEVENTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, Knox McAfee, Oliver P. Buel, Defective, Blank, Scattering, Whole Vote. Rows: First through Thirtieth.

VOTE FOR MEMBER OF ASSEMBLY FOR THE FIFTEENTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, William P. Murray, Joseph Blumenthal, Alexander Frear, Defective, Blank, Scattering, Whole Vote. Rows: First through Twenty-fourth.

VOTE FOR MEMBER OF ASSEMBLY FOR THE NINETEENTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, Alexander Martin, Thomas O'Callaghan, Defective, Blank, Scattering, Whole Vote. Rows: First through Fifteenth.

VOTE FOR MEMBER OF ASSEMBLY FOR THE EIGHTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, George Scherman, Martin Nachtmann, Jacob Messer, Defective, Blank, Scattering, Whole Vote. Rows: First through Thirtieth.

VOTE FOR ASSEMBLY FOR THE TWELFTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, Charles H. Southworth, Francis Murray, Joseph A. Lyons, Defective, Blank, Scattering, Whole Vote. Rows: First through Twenty-ninth.

VOTE FOR MEMBER OF ASSEMBLY FOR THE SIXTEENTH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, Peter Woods, Nicholas Haughton, Joseph B. Varnum, Defective, Blank, Scattering, Whole Vote. Rows: First through Twenty-sixth.

VOTE FOR MEMBER OF ASSEMBLY FOR THE TWENTIETH ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, David Babcock, John D. Conghlin, Mortiz Herberg, Defective, Blank, Scattering, Whole Vote. Rows: First through Thirty-seventh.

VOTE FOR MEMBER OF ASSEMBLY FOR THE TWENTY-FIRST ASSEMBLY DISTRICT.

Table with columns: ELECTION DISTRICTS, William Haw, Jr., Charles Cray, Henry W. Genet, Defective, Blank, Scattering, Whole Vote. Rows include districts from First to Thirty-seventh.

VOTE FOR ATTORNEY-GENERAL. MORRISANIA.

Table with columns: ELECTION DISTRICTS, Thomas Raines, Daniel G. Fort, Defective, Blank, Scattering, Whole Vote. Rows include districts from First to Eight.

Appointment or Election of Judges of City and County Courts. MORRISANIA.

Table with columns: ELECTION DISTRICTS, Yes, No, Defective, Blank, Whole Vote. Rows include districts from First to Eight.

John Wheeler, the President of the Department of Taxes and Assessments. The minutes of the meeting held July 15, 1873, were read and approved.

The Mayor, the Comptroller, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments each presented petitions, &c., in reference to claims of Silcocks & Cooley, Archibald J. Fullerton, James Dumphy, and the Sunburst, which, on motion, were laid on the table.

Mr. Disbecker, Supervisor of THE CITY RECORD, was present, and stated to the Board that an additional appropriation of \$1,405.76 would be required to pay the salaries Supervisor and assistants of said office. The Board deferred action upon the said matter.

The Mayor presented the following communication:

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION, New York, July 2, 1873.

SIR:—I have the honor to transmit the following proceedings adopted by the Board of Commissioners of Public Charities and Correction at their meeting held this day:

RESOLVED, That in the opinion of this Board the salaries as fixed by law of the warden of city prisons, physician of city prisons, and superintendent of labor bureau, to wit: Warden of City Prisons, \$5,000 per annum. Physician of City Prisons, 3,000 " Superintendent of Labor Bureau, 3,500 " are excessive, and ought to be reduced.

RESOLVED, That as the sense of this Board, the salary of the warden of the toms ought not to exceed \$3,000; the salary of the physician of the toms, \$800; the salary of the superintendent of Free Labor Bureau, \$1,500.

RESOLVED, That the foregoing resolutions be respectfully forwarded to the honorable Board of Apportionment, with the recommendation that the salaries of the several officers named be reduced to the sums indicated.

Very respectfully, Your obedient servant, WM. LAIMBEER, President.

Hon. Wm. F. Havemeyer, Chairman of Board of Apportionment.

The Comptroller moved that the salaries referred to in the foregoing communication be reduced as therein proposed.

The chairman put the question, whether the Board would agree with said motion, which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New York (chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller offered for adoption the following resolution:

RESOLVED, That the Comptroller be and he is hereby authorized and directed to issue bonds of the City of New York, as provided in chapter 756 of the Laws of 1873, for the purpose of providing moneys for the payment of judgments which have been or may be obtained against the said city, the amount of said bonds not to exceed the sum of one hundred thousand dollars (\$100,000), said bonds to be designated "New York City Bonds for liquidation of claims and judgments," and bear interest not exceeding seven per cent. per annum, and payable at such time within three years from the date thereof as the Comptroller may determine.

The chairman put the question, whether the Board would agree with said resolution; which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New York (chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, the President of the Department of Taxes and Assessments—4.

The Comptroller offered for adoption the following resolution:

RESOLVED, That, in pursuance of the authority conferred upon the Board of Estimate and Apportionment by provisions of section 112 of chapter 335 Laws of 1873, the Comptroller be and he is hereby authorized to issue from time to time as may be required and at such rates of interest as he may determine, not exceeding seven per cent. per annum, "Assessment Bonds of the City of New York," as authorized by chapter 307 of Laws of 1852 and chapter 580 Laws of 1872, one hundred and fifty thousand dollars (\$150,000).

The Chairman put the question whether the Board would agree with the said resolution, which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

On motion of the Comptroller the Board then adjourned to meet at the call of the Chairman.

JOHN WHEELER, Secretary.

NAMES, RESIDENCES AND PLACES OF BUSINESS OF THE MEMBERS OF THE BOARD OF ASSISTANT ALDERMEN. FOR 1873.

- 1.—Thomas Foley, place of business 24 Morris street residence, 18 West street.
2.—Jeremiah Murphy, place of business 45 Cherry street; residence, 45 Cherry street.
3.—Charles M. Clancy, place of business 191 Mott street residence 191 Mott street.
4.—John C. Keating, place of business 333 Cherry street; residence, 333 Cherry street.

VOTE FOR STATE ENGINEER AND SURVEYOR. MORRISANIA.

Table with columns: ELECTION DISTRICTS, Sylvanus H. Sweet, William B. Taylor, Defective, Blank, Scattering, Whole Vote. Rows include districts from First to Eight.

VOTE FOR ANNEXATION OF THE TOWNS of Morrisania, West Farms and King's Bridge, to the City and County of New York.

Table with columns: ELECTION DISTRICTS, For, Against, Defective, Blank, Whole Vote. Rows include districts from First to Eight.

VOTE FOR SECRETARY OF STATE. MORRISANIA.

Table with columns: ELECTION DISTRICTS, Diedrich Willers, Jr., Francis S. Thayer, Defective, Blank, Scattering, Whole Vote. Rows include districts from First to Eight.

VOTE FOR CANAL COMMISSIONER. MORRISANIA.

Table with columns: ELECTION DISTRICTS, James Jackson, Jr., Sidney Mead, Defective, Blank, Scattering, Whole Vote. Rows include districts from First to Eight.

VOTE FOR JUSTICE OF THE DISTRICT COURT IN THE TENTH JUDICIAL DISTRICT. MORRISANIA.

Table with columns: ELECTION DISTRICTS, John Flanagan, James R. Angel, Blank, Scattering, Whole Vote. Rows include districts from First to Eight.

VOTE FOR COMPTROLLER. MORRISANIA.

Table with columns: ELECTION DISTRICTS, Asher P. Nichols, Nels n. K. Hopkins, Defective, Blank, Scattering, Whole Vote. Rows include districts from First to Eight.

VOTE FOR INSPECTOR OF STATE PRISONS. MORRISANIA.

Table with columns: ELECTION DISTRICTS, George W. Millsbaugh, Moss K. Platt, Defective, Blank, Scattering, Whole Vote. Rows include districts from First to Eight.

BOARD OF ESTIMATE AND APPORTIONMENT CITY AND COUNTY OF NEW YORK.

COMPTROLLER'S OFFICE, NEW YORK COUNTY COURT HOUSE, Wednesday July 23d, 1873, 2:55 P. M.

The Board met pursuant to the following call: OFFICE OF THE MAYORALTY EXECUTIVE DEPARTMENT, CITY HALL, New York July 22d, 1873.

In pursuance of the authority contained in the 112th section of the act entitled "An Act to reorganize the local Government of the City of New York," passed April 30th, 1873, and an act entitled "An Act in relation to the City of New York," passed June 13th, 1873, and an act entitled "An Act in relation to raising money by taxation, in the County of New York for County purposes," passed June 14th, 1873. A meeting is hereby called of the Mayor, Comptroller, President of the Board of Aldermen, and the President of the Department of Taxes and Assessments constituting a Board of Estimate and Apportionment, to be held at the office of the Comptroller on Wednesday, the 23d day of July, 1873, at 2 o'clock p. m., for the purpose of acting upon such matters, as may come before said Board under the provisions of the Act before mentioned.

W. F. HAVEMEYER, Mayor.

INDORSED.

Admission of a copy of the within as served upon us this day, July 22d, 1873.

Wm. F. Havemeyer, Mayor; Andrew H. Green, Comptroller; Samuel B. H. Vance, President of the Board of Aldermen; John Wheeler, President of the Department of Taxes and Assessments.

Present—All the members, viz.:

Wm. F. Havemeyer, Mayor of the City of New York; Andrew H. Green, the Comptroller of the City of New York; Samuel B. H. Vance, the President of the Board of Aldermen, and

AMENDMENTS.

Appointment or Election of the Chief Judge and Associate Judges of the Court of Appeals and of Justices of the Supreme Court.

Table with columns: ELECTION DISTRICTS, Yes, No, Defective, Blank, Scattering, Whole Vote. Rows include districts from First to Eight.

VOTE FOR TREASURER. MORRISANIA.

Table with columns: ELECTION DISTRICTS, Thomas Raines, Daniel G. Fort, Defective, Blank, Scattering, Whole Vote. Rows include districts from First to Eight.

