

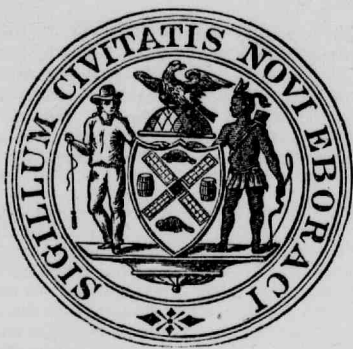
# THE CITY RECORD.

## OFFICIAL JOURNAL.

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NEW YORK, WEDNESDAY, FEBRUARY 27, 1878.

NUMBER 1,433.



### LEGISLATIVE DEPARTMENT.

#### BOARD OF ALDERMEN.

##### STATED SESSION.

TUESDAY, February 26, 1878,  
2 o'clock P. M.

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

##### PRESENT:

Hon. William R. Roberts, President;

##### ALDERMEN

William Bennett,  
Bernard Biglin,  
Thomas Carroll,  
Ferdinand Ehrhart,  
Robert C. Foster,  
William H. Gedney,  
John W. Guntzer,

George Hall,  
John W. Jacobus,  
Terence Kiernan,  
Samuel A. Lewis,  
John J. Morris,  
Henry C. Perley,

Lewis J. Phillips,  
Joseph C. Pinckney,  
William Sauer,  
Thomas Sheils,  
James J. Slevin,  
Louis C. Waehner.

The minutes of the last meeting were read and approved.

##### PETITIONS.

By Alderman Morris—

Petition for change of grade of One Hundred and Thirty-first street, between Twelfth and Thirteenth avenues.

Which was referred to the Committee on Public Works.

By the President—

NEW YORK, February 25, 1878.

To the Honorable Mayor and Common Council, New York:

GENTLEMEN—A petition asking for an alteration in construction of dock foot of East Fifty-fourth street was presented to us by a gentleman named Ward on Thursday last, and our signature to same solicited.

Though the factory upon the lots we occupy is owned by us, it is only leasehold ground, and is the property of Mr. Stevenson Towle. This Mr. Ward claimed acquaintance with Mr. Towle, and assured us it would meet his hearty approval our affixing our names to the petition, and we conditionally did so, reserving the right to require its withdrawal if it conflicted in any manner with the interests or wishes of Mr. Towle.

Mr. Towle disapproves of it in its present shape, as the alterations proposed must be made on the legal established grade, which is the same as the street was regulated to in 1855, which will leave the street several feet above the proposed dock.

Mr. Towle is willing to regulate and improve the street on a proper grade, that will make the wharf accessible when built.

Very respectfully yours,  
BOLEN & BYRNE.

P.S.—We are occupants of lots 415, 17, 19, 21, and 23.  
Which was referred to the Committee on Public Works.

##### MOTIONS AND RESOLUTIONS.

By Alderman Sauer—

Resolved, That permission be and the same is hereby given unto the heirs-at-law of the estate of Richard French, deceased, and also unto Richard Allen, interested as owners of the lands adjacent to and including that part of East Fifty-fifth street, running from Avenue A easterly to East river, to cut through and open such part of said street and remove the rock and dirt therefrom, and grade the same at their own cost and expense and in the manner required by the Department of Public Works.

Which was referred to the Committee on Public Works.

By Alderman Carroll—

Resolved, That permission be and the same is hereby given to Capt. Charles H. Longstreet to place and keep a picket fence along the southerly line of Fifty-first street, East river, from the bulkhead to the staircase at the bottom of the retaining wall, and lay a plank walk from the stairs to the bulkhead, as shown on the annexed diagram; also to regulate, clean, and keep in good order the space so inclosed, being the said street, from the said wall to the bulkhead, for the convenience and safety of passengers by the boats landing at the pier foot of said street, the work to be done at his own expense; 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 Hall—

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

Which was referred to the Committee on Public Works.

By the same—

Resolved, That Ninety-seventh street, from Fifth avenue to Harlem river, be regulated and graded, curb and gutter stones set, and sidewalks flagged a space of four feet wide through the centre thereof, where not already done, 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 Keenan—

Resolved, That permission be and the same is hereby given to Jacob Mitnich to place a post and sign on the sidewalk near the curb-stone, in front of No. 109 Sheriff street; such permission to continue only during the pleasure of the Common Council.

Which was referred to the Committee on Public Works.

By Alderman Bennett—

Resolved, That permission be and the same is hereby given to Booth & Edgar to place a switch on the track of the New York Central Railroad (with the consent of the Railroad Company), at the corner of West and King streets, and run a turn-out, the same width as the said road, from the track of the said road in front of their property on the southerly side of King street, the inside track to be near the curb-stone, so that the street shall not be incumbered by cars run upon the turn-out, the work to be done at their own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Which was referred to the Committee on Streets.

By Alderman Slevin—

Resolved, That B. W. Buchanan be and he is hereby reappointed a Commissioner of Deeds in and for the City and County of New York, in place of B. W. Buchanan, whose term of office expires March 4, 1878.

Which was referred to the Committee on Salaries and Offices.

By Alderman Sheils—

Resolved, That his Honor the Mayor be and he is hereby respectfully requested to return to this Board a preamble with resolution adopted at the last meeting, instructing the Board of Education to modify the rules and regulations for admission to the Normal College and the College of the City of New York.

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

By the same—

Whereas, Subdivision 4 of section 3 of chapter 386, Laws of 1851, imposes the duty upon the Board of Education of this city to "continue to furnish through the Free Academy (now College of the City of New York) the benefit of education, gratuitously to persons who have been pupils in the common schools of the said city and county, for a period of time to be regulated by the Board of Education, not less than one year," thus excluding all children who may not have attended the common schools for the period named, a like or more stringent rule is made applicable to admissions to the Normal College; and,

Whereas, The exclusion of children, graduates of the several parish and other private schools in this city, from the Normal College and College of the City of New York, is so unjust to a large and influential class of citizens, that action should be taken to prevent a longer continuance of this unjust discrimination. The full force of the wrong thus done the parents of such children will be best understood when it is known that, as tax-payers, they pay their full proportion of the expenses of our entire system of common school education, including the expenses of both colleges, and their proportion of the money extorted from this city annually for educational purposes in other portions of this State, without the slightest benefit or advantage from either, and, in addition, pay the expense of educating their own children in schools of their own selecting, thus saving the city the annual per capita cost of every child so educated, during the primary and other preliminary periods of instruction, until qualified for admission to the public colleges, when, no matter what degree of merit their children may have attained as scholars, they are refused admission to these free colleges; be it therefore

Resolved, That the Counsel to the Corporation be and he is hereby authorized and directed, for and on behalf of the Mayor, Aldermen, and Commonalty of the City of New York, to memorialize the Legislature of this State for the passage of a law amending the act above quoted, so as to admit to participation in the benefits intended to be conferred in the establishment of the Normal College and College of the City of New York the children of all persons residents of this city, irrespective of the schools from which such students may have received their preparatory course of instruction, who may have attained the qualifications necessary to pass the examination now required for admission to either college by children graduating from the public schools.

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

By Alderman Bennett—

Resolved, That permission be and the same is hereby given to DeGraaf & Taylor to place a bay-window in front of their premises Nos. 47 and 49 West Fourteenth street, as shown in the annexed diagram; the same 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 Sheils—

Resolved, That Thomas McGrath be and is hereby appointed a Commissioner of Deeds in and for the City of New York.

Which was referred to the Committee on Salaries and Offices.

By Alderman Ehrhart—

Resolved, That permission be and the same is hereby granted unto Robert G. Gregg to erect two bay-windows extending four feet and six inches from the building in front of premises No. 48 West Fourteenth street, in the City of New York.

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

By Alderman Jacobus—

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

Which was referred to the Committee on Salaries and Offices.

By Alderman Ehrhart—

Resolved, That permission be and the same is hereby given to J. Studer to erect a flag-pole in front of his premises No. 135 Third avenue, the work to be done at his own expense; such permission to continue only during the pleasure of the Common Council.

Which was referred to the Committee on Public Works.

By Alderman Perley—

Resolved, That permission be and the same is hereby given to F. Buse to receive and deliver goods in front of his premises Nos. 1104 to 1112 First avenue, and Nos. 406 to 410 East Sixty-first street; 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 Carroll—

Resolved, That Charles H. Pentz be and he is hereby reappointed a Commissioner of Deeds in and for the City and County of New York, in place of Charles H. Pentz, whose term of office expires March 2, 1878.

Which was referred to the Committee on Salaries and Offices.

By Alderman Foster—

Resolved, That Isidor J. Swartzkopf be and he is hereby reappointed a Commissioner of Deeds in and for the City and County of New York, to date from the expiration of his present term of office, March 6, 1878.

Which was referred to the Committee on Salaries and Offices.

By Alderman Sheils—

Resolved, That Walter R. Lord 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 Morris—

Resolved, That the vacant lots on the south side of Fifty-seventh street, between Fifth and Sixth avenues, be fenced in, where not already done, 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 Waehner—

Resolved, That Alfred Steckler 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 Carroll—

Resolved, That vacant lots on block bounded by Sixty-ninth and Seventieth streets, from Lexington avenue to Fourth avenue, be fenced in, 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 Bennett—

Resolved, That Harris Wines, Jr., be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Daniel P. Hayes, who has failed to qualify.

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

Which was decided in the affirmative, on a division, viz.:  
Affirmative—The President, Aldermen Bennett, Biglin, Carroll, Ehrhart, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Perley, Phillips, Pinckney, Sauer, Sheils, and Slevin—18.

Negative—Alderman Foster—1.

By Alderman Bennett—

Resolved, That Francis Palmer 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 the same—

Resolved, That permission be and the same is hereby given to George Schlenker to retain a meat-rack in front of his place of business, 413 Hudson street, the same to continue only during the pleasure of the Common Council, the hooks to be not less than nine feet above the sidewalk.

Alderman Lewis moved that the paper be laid over.

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

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

Affirmative—Aldermen Biglin, Foster, Gedney, Lewis, Morris, Perley, Phillips, and Pinckney

—8.

Negative—The President, Aldermen Bennett, Carroll, Ehrhart, Guntzer, Hall, Jacobus, Kiernan, Sauer, Sheils, and Slevin—11.

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

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

Affirmative—The President, Aldermen Bennett, Carroll, Guntzer, Hall, Jacobus, Kiernan, Sauer, Sheils, and Slevin—10.

Negative—Aldermen Biglin, Ehrhart, Foster, Gedney, Lewis, Morris, Perley, Phillips, and Pinckney—9.

Alderman Sauer moved a reconsideration of the above vote.

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

Which was decided in the affirmative.

Alderman Sauer then moved to refer to the Committee on Law Department.

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

Which was decided in the affirmative.

#### MESSAGES FROM HIS HONOR THE MAYOR.

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

EXECUTIVE DEPARTMENT—CITY HALL,  
NEW YORK, February 26, 1878.

To the Honorable the Common Council:

GENTLEMEN—I herewith return, without my approval, the resolution relative to the valuation of real estate in this city, adopted on the 12th inst.

I fully concur in the spirit of the preamble and resolution, and am aware of the gross injustice done the City of New York in the unfair and excessive proportion of the State tax exacted from this city. I also think that the diminution of our assessed city valuations to correspond in some degree with the actual diminution of values during the past three years would be proper, and would exert some influence upon the action of the State Assessors; but I deem the resolution at this time to be impolitic, as it might be misinterpreted by those who are inimical to the interests of the city into an attempt at evasion of our proper burthen by undervaluation.

The resolution is also objectionable in that it states that "the State rate which is fixed by law is imposed upon the local valuation made by the Commissioners of Taxes and Assessments." This is only to a limited degree correct, as the State Assessors arbitrarily fix the valuations.

For these reasons I am constrained to withhold my approval of the resolution.

SMITH ELY, JR., Mayor.

Resolved, That in making up the valuation for real estate for the present year the Commissioners of Taxes and Assessments be and they are hereby requested, and so far as this Board, acting as a Board of Supervisors, have the power, directed to make due allowance for the vast shrinkage that has taken place in the value of real estate in this city during the past few years, which would seem to warrant a reduction of from thirty to fifty per cent. on such valuation as compared with last year, both as a measure of relief to our overtaxed tax-payers and of equity in payment of State taxes imposed upon this city, as the State rate, which is fixed by law, is imposed upon the local valuation made by the said Commissioners of Taxes and Assessments, and which, even if levied upon such proposed reduced valuation, would then be in excess of the proportion levied upon property and paid in nearly all the other counties of this State.

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:

EXECUTIVE DEPARTMENT—CITY HALL,  
NEW YORK, February 26, 1878.

To the Honorable the Common Council:

GENTLEMEN—I herewith transmit the report of the Commissioners of Accounts of the result of an investigation made by them into the management and affairs of the Board of Excise of the City of New York for the year 1877.

Very respectfully,

SMITH ELY, JR., Mayor.

OFFICE OF THE COMMISSIONERS OF ACCOUNTS,  
No. 27 CHAMBERS STREET,  
NEW YORK, February 23, 1878.

Hon. SMITH ELY, JR., Mayor of the City of New York:

Upon December 22, 1877, the Commissioners of Accounts received from your Honor a communication, of which the following is a copy:

EXECUTIVE DEPARTMENT—CITY HALL,  
NEW YORK, December 22, 1877.

To the Commissioners of Accounts:

GENTLEMEN—I herewith transmit a certified copy of a resolution of the Common Council, approved December 21, 1877, "relative to the examination of the accounts of the Excise Commissioners," and you are hereby instructed and directed to make the examination required by said resolution.

Very respectfully,

SMITH ELY, JR., Mayor.

The resolution of the Common Council referred to, is in the terms following, viz.:

"Whereas, It was stated by the press last week that, at the examination of the Excise Board before the Grand Jury, the Commissioners had in bank to their own credit \$60,000 or more, received from sundry persons for licenses for which the citizens had nothing but a receipt for their money; said money being received by them in their official capacity of Commissioners of Excise.

"The Charter of 1873 contains the following words, in article 5, sections 34 and 35, viz.: 'all moneys shall be paid over to the Comptroller and Chamberlain, and it shall be deposited in the designated banks, where it shall draw interest on the daily balances;' and

"Whereas, In section 90 the following words appear, 'and it shall be the duty of the Common Council to provide for the accountability of all officers and other persons;' and

"Whereas, Section 95 makes provision for any neglect of duty, etc.; and section 96 says, 'that all sums received for licenses shall be paid over weekly, and no officer shall be entitled to his salary until he has complied with this section;' and

"Whereas, Section 107 makes provision for the examination of any books or accounts of any Department by any tax-payer; and

"Whereas, Section 103 gives the Mayor full power to appoint Commissioners of Accounts to make examinations of any Department; therefore be it

"Resolved, That his Honor the Mayor be requested to have a thorough examination made of all moneys received by the Board of Excise from January 1, 1877, from all sources; also an examination of the receipts and vouchers showing what has been done with said moneys, and the dates of receiving payments of the same; and be it further

"Resolved, That all persons holding receipts from the Excise Board be requested to appear before the Commissioners appointed by the Mayor, that the dates and amounts may be compared with those on file in the office of said Board; and be it further

"Resolved, That all the testimony and facts taken on this examination be done immediately, and be printed in full in the CITY RECORD, directly after the closing of said examination.

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

"Approved by the Mayor, December 21, 1877.

"FRANCIS J. TWOMEY,  
"Clerk Common Council."

Pursuant to this resolution, and as directed by your Honor, we have made an investigation into the management and affairs of the Board of Excise of the City of New York for the year 1877, and submit to your Honor the following report thereon:

First. The Commissioners constituting the Board of Excise during the year 1877 were George W. Morton, Owen Murphy, and Jacob M. Patterson, Jr. Mr. Murphy absconded December 22, 1877.

These Commissioners entered upon the duties of their office May 1, 1876, having upon that date organized as a Board by appointing Mr. Morton President, Mr. Patterson Secretary, and Mr. Murphy Treasurer.

No bond or security was required from or given by Mr. Murphy as Treasurer. The minutes of the Board do not show that at any time any depository bank was selected by the Board, in which the funds received by it were to be deposited, and no authority was given by the Board, so far as disclosed in its minutes, for the Treasurer to deposit in or to draw money from bank. Still, although no authority by the Board appears to have been given on the subject, the Treasurer, Mr. Murphy, on May 2, 1876, opened an account in the German Exchange Bank in the name of "The Board of Excise—Owen Murphy, Treasurer," and to the credit of this account various deposits were made, which were drawn against by checks purporting to be signed by Mr. Murphy.

The selection by Mr. Murphy of this depository bank, the deposits therein of the moneys collected and received by the Board, and the drawing of checks on the bank account by Mr. Murphy, were facts well known to the other Commissioners.

Second. The fiscal year of the Board of Excise was from the first day of May to the corresponding day and month of the following year.

All applications made to the Board for licenses required to be in a form approved by the Board, printed copies of which were furnished to all applicants. Each applicant had to file along with his application a bond, with two sureties, that the terms and conditions of the license, if granted, would be faithfully observed by him. When such application was presented to the Board, besides the bond referred to, the applicant, as a rule, had to deposit with the Board the amount of license fee fixed by the Board for the class of license for which the application was made, and which deposit the Board retained pending its decision on the application. On this deposit being made a receipt was usually given by the Board for the amount deposited in the form following:

"No.

"OFFICE OF BOARD OF EXCISE,  
"NO. 299 MULBERRY STREET,  
"NEW YORK, 187 ."

has deposited with the Board of Excise the sum of

dollars pending the decision on application, and intended as a fee for a license, this day applied for by , pursuant to the laws of the State of New York authorizing and regulating the sale of strong or spirituous liquors, wines, ales, and beer.

"This receipt is given upon the express condition that the same shall be returned to this office within ten days from the date hereof, when the license will be issued to the applicant, or if the Board refuse to grant such license, the amount deposited will be returned.

"Chief Clerk."

Third. The Commissioners of Excise had no authority under any statute to demand and receive these deposits, and from the beginning of their administration they disregarded the condition upon which the deposit was received by them as expressed in their receipt granted therefor.

Few, if any, of the applications made for licenses were acted upon by the Board within the ten days specified in the receipt. As a general thing, these applications were not acted upon by the Board for months after the application was made, and fully one-half of the applications made subsequent to May 1, 1877, have not been acted upon at all. Until some action was taken by the Board upon the application, either granting or rejecting the same, the money deposited remained in the possession of the Board. No portion of the deposit money, as a deposit, belonged to, or was payable to the Chamberlain of the City. Only the license fees—that is, the fees for the licenses, when granted by the Board of Excise—were required by law to be paid to, or could be claimed by the Chamberlain.

Fourth. The license fees for the fiscal year from May 1, 1876, to May 1, 1877, were fixed by the Board of Excise at a meeting held May 11, 1876, by a unanimous vote, as follows, viz.:

"Class 1. For first class hotels, restaurants, saloons, etc., the sum of \$250.  
"Class 2. For second class hotels, restaurants, saloons, etc., the sum of \$100.  
"Class 3. For storekeepers, druggists, and all places where strong and spirituous liquors are sold in quantities less than five gallons at a time, and not drunk upon the premises, \$60.  
"Class 4. For all other places where strong and spirituous liquors, wines, ales, and beer are sold and drunk upon the premises, the sum of \$50.  
"Class 5. For all places where ale and beer only are sold, the sum of \$30."

Fifth. The rule adopted by the Board to demand from the applicant for a license when his application was filed, a deposit of the full amount of the license fee, according to the class of license applied for, was generally acted upon by the Board. Of the funds so received, deposits were made to the credit of the Board in the German Exchange Bank, and out of the funds thus deposited, the Board, from time to time, paid over certain amounts to the Chamberlain. These payments were made by check drawn on the Bank by Mr. Murphy, Treasurer. No statement accompanied any of these payments showing the number, or particular licenses which had been granted, or were represented by the amounts paid. The payments to the Chamberlain were made out of the accumulated funds received as deposits, without reference to the number of licenses actually granted at the date of payment. When moneys deposited with the Board were returned to the applicant for a license, on the rejection of his application payment was made by check on the bank signed or purporting to be signed by Mr. Murphy, Treasurer.

So far as it appears from the books of the Board the entire deposits made with the Board on application for licenses for the fiscal year, from May 1, 1876, to May 1, 1877, amounted in the aggregate to..... \$298,691 75

There was paid by the Board to the Chamberlain of the City in various sums from May 1, 1876, to May 1, 1877, a total of..... \$287,262 25

And there was returned of deposits made during the year from May 1, 1876, to May 1, 1877, on the rejection of applications for licenses, a total of..... 5,234 75

Balance..... 292,497 00  
\$6,194 75

This balance remains to the credit of "The Board of Excise—Owen Murphy, Treasurer," in the German Exchange Bank in a separate account which applies to the fiscal year of the Board ending the 1st of May, 1877.

Whether the above sum of \$298,691.75 is the correct aggregate amount of moneys received by the Board of Excise during the year ending the 1st of May, 1877, it is impossible to say. One of the books of the Board, a license book, containing a record of licenses issued during a portion of the year disappeared from the office of the Board the day after the decision of the Court of Appeals was given which determined the laws in force in relation to the granting of licenses. No Commissioner or employee of the Board would, if he could, give us any information as to this record. The minutes of the Board do not show the licenses which were granted and issued. Being unable, in these circumstances, to determine the number of licenses actually granted on applications accompanied with deposits made during the year ending May 1, 1877, it is not possible to state with accuracy whether the amount of \$287,262.25 paid to the Chamberlain, as above, represents the aggregate of the license fees which ought to have been paid over to him on licenses issued in accordance with applications filed during the year from May 1, 1876, to May 1, 1877. All the applications for licenses made prior to May 1, 1877, have not been passed on by the Board, and the deposit moneys made on such applications belong not to the city, but to the parties making the deposits. The probability is that the sum of \$6,194.75 in bank, as above shown, will be sufficient to meet the claims of all parties who made deposits with the Board prior to May 1, 1877, and whose applications have not been passed upon, or, having been passed upon, have been rejected, but whose deposits were not returned.

Sixth. At a meeting of the Board, held May 7, 1877, a new scale of license fees was adopted in a preamble and resolution, of which the following is a copy:

"Whereas, Section 2 of chapter 549 of the Laws of 1873, amending section 4 of chapter 175 of the Laws of 1870, authorizes the Board of Excise to grant license to persons having the legal qualifications to sell and dispose of strong and spirituous liquors, wines, ales, and beer in quantities less than five gallons at a time, upon receiving a license fee, to be fixed at their discretion, and which shall not be less than thirty dollars nor more than two hundred and fifty dollars in any city; be it therefore

"Resolved, That this Board, for the purpose of fixing the license fee to be received for any license granted by it, will be governed by the following annual rates, to wit:

"For a license granted to the keepers of an inn, tavern, or hotel, according to classification, as follows:

"First class—the sum of two hundred and fifty dollars. Second class—the sum of one hundred dollars. Third class—the sum of seventy-five dollars.

"For a license granted to a storekeeper, authorizing sale of liquors, etc., not to be drunk on the premises licensed, the sum of fifty dollars.

"For a license granted authorizing the sale of ales and beer only, and not strong or spirituous liquors or wines, the sum of thirty dollars.

"It being provided that this Board reserves the legal right to determine the amount of fee to be required on any and every individual case at its discretion in order that persons who have neglected to take out license, while nevertheless doing business, may be required to pay license fee rateably proportioned to the amount above fixed at the annual rate."

Seventh. Applications for licenses during the fiscal year from the 1st day of May, 1877, to the 1st day of May, 1878, continued to be made to the Board, as applications had been made during the preceding year, accompanied by a bond, and a deposit was at the same time generally made with the Board of the license fee pending the application. To the transactions of the Board in reference to these deposit moneys our investigation has been principally directed, and with the view of obtaining all possible information bearing on this investigation, we addressed the following communication to the Board of Police:

"BOARD OF EXCISE, 299 MULBERRY STREET,  
"NEW YORK, December 26, 1877."

"To the Board of Police:

"GENTLEMEN—To enable us to proceed with the investigation which his Honor the Mayor, acting pursuant to resolution of the Common Council, has directed to be made into the books and affairs of the Excise Board, we beg your assistance in obtaining for us through the facilities at your command the following particulars:

"First—A list of the licensed premises in the city for which a license has been obtained since the first day of January, 1877, showing the date and the name of the person licensed, the premises by street and number, and the sum as shown by the license paid therefor.

"Second—A list of those who have claimed to the Police to have made deposits to the Excise Board since January 1, 1877, and who hold a receipt for the money deposited, but to whom no license has been granted; this list to specify the name and address of the person who has made the deposit, the date of deposit, the premises for which the application of license was made, and the amount of deposit.



"If it has come to your knowledge that any sum other than the amount paid for licenses, or deposited as license money, has been paid by any person to members of the Excise Board, or to any of the subordinates of the Board, the particulars relating thereto should also be communicated to us."

"You will confer a favor if the information above desired is procured and communicated to us as early as convenient."

"Respectfully,  
"LINDSAY I. HOWE, } Commissioners  
"JOHN H. MOONEY, } of Accounts."

To this communication we received the following reply:

"POLICE DEPARTMENT OF THE CITY OF NEW YORK,  
"300 MULBERRY STREET,  
"NEW YORK, December 26, 1877."

"Hon. LINDSAY I. HOWE and JOHN H. MOONEY, Commissioners of Accounts:

"GENTLEMEN—I am directed by the Board of Police to acknowledge the receipt of your communication of this date, requesting information through this Department as to the names of licensed premises and of those who have applied to the Board of Excise for licenses, and have paid for but not received the same, etc., and to state that at a meeting of the Board of Police, held this day, it was

"Resolved, That the Superintendent cause to be made a thorough inquiry and report upon the number of licenses granted, licenses applied for and not granted, with the names of the parties and the amount paid in each case, and procure and issue blanks for the officers employed.

"Very respectfully,  
"WM. H. KIPP, First Deputy Clerk."

From the Police Department we have received all the aid at its command in tracing the facts. The inquiry being a peculiar one, and the confusion attending the subject-matter thereof being almost universal, innumerable difficulties were encountered, and delays necessitated in the prosecution of the same. A number of particular cases had to be specially dealt with, and many parties who could give information in reference thereto decline to do so.

Our investigation has satisfied us that the books of the Excise Board do not contain a correct or faithful record of the money transactions of the Board subsequent to May 1, 1877.

- (1.) All the sums deposited with the Board when the applications for licenses were made were not entered in the books. Moneys were in some instances deposited by applicants for licenses, and receipts given therefor, which are now held by these parties, who also hold in their possession the checks by which they paid their deposits, returned to them as paid through the bank, but no entry of such deposits are to be found in the records of the Excise Board.
- (2.) Receipts were signed in blank by the Chief Clerk, Mr. Donahue, and such receipts were used and moneys obtained thereon by parties connected with the Department, no record of which is to be found in the books of the Board.
- (3.) Deposits were made with the Board when no receipts were given, and in some cases the receipt bears a different name from that entered in the books, and in others a different address or description of the premises for which the license application was made. In still other cases entries are to be found in the books as of deposits made by parties who never did make any deposit or apply for any license.
- (4.) On the rejection of an application and the return of the deposit money thereon to the applicant, the rule was to make the repayment by check, drawn on the deposit bank, signed by Owen Murphy, Treasurer. We have examined a number of those checks. Many of them, though purporting to bear Mr. Murphy's signature, do not appear to us to be in his hand-writing. The practice appears to have extensively prevailed of cashing, in the office of the Board, out of moneys deposited with the Board, checks given in repayment of deposits, so that the check went to the Bank as a debit against, and credit to the account of the Board. In some instances the persons whose names appear indorsed upon these checks, as having received the repayment of their deposit, state that no such repayment was ever made, and the indorsement is not theirs, or authorized by them. They still hold the receipt for the deposit made. In many instances parties delivered up their receipts and indorsed the check, but only received a portion of the amount, while credit was taken for the full amount as paid. Such deductions varied from ten to twenty-two dollars and fifty cents in each case.
- (5.) One of the clerks of the Board, Mr. Childs, was in the habit of receiving sums of money from applicants, and of which, he states, he has kept a record in a small pass-book. These sums varied in amount from ten to fifty dollars, and amounted in the aggregate to \$1,250. No entry is to be found in the books of the Board of any portion of these moneys having been handed to the Board, or that the Commissioners had any knowledge of such sums having been received in the office. The amounts were not deposited in bank to the credit of the Board. The explanation given as to these payments, is that they were taken on account of deposits by direction of Mr. Murphy, and that the amounts received were handed to Mr. Murphy personally. It was not the business of this clerk to receive moneys deposited for license fees, and why these particular sums should have been paid to him for the purpose indicated has not been explained.
- (6.) Almost all the employees of the Board were in the habit of charging applicants for licenses, whenever they thought they could succeed in obtaining the same, a fee varying from one to ten dollars upon the application papers. Judging from the information obtained by us, we are of the opinion that at least (\$12,000) twelve thousand dollars was collected in this manner and retained by the employees of the Board during the year 1877.

Eighth. The books of the Board show, as having been received as deposits on application for licenses from 1st of May to December 22, 1877, in each month as follows:

May	\$18,652 41
June	28,360 00
July	41,680 00
August and September	127,995 00
October	15,675 00
November	12,655 00
December	29,600 00

Total.....\$274,617 41

The deposits made by the Board in the German Exchange Bank during the above period were as follows:

May and June	\$47,012 41
July	41,680 00
August and September	126,853 73
October	16,516 25
November	12,655 00
December	29,640 00

274,357 41

Difference as appearing by books of Board to have been received but not deposited in bank.....\$260 00

The deposits in German Exchange Bank, as above, amount to.....\$274,357 41  
Of this amount there has been drawn from bank, on checks which are signed or purport to have been signed by Owen Murphy, Treasurer.....252,230 36

Balance in bank December 22 of deposits made subsequent to May 1, 1877.....\$22,127 05

The amount drawn from bank, as above.....\$252,230 36  
Was used as follows:

(1).	Payments made to the Chamberlain in two payments, one of \$40,000 and the other of \$100,000, each by check, signed by Mr. Murphy, Treasurer.....	\$140,000 00
(2).	Repayment of deposits on rejected applications.....	22,230 36
(3).	Mr. Murphy .....	90,000 00
		<hr/> \$252,230 36

Ninth. Ninety thousand dollars was drawn from the German Exchange Bank by Mr. Murphy, with the evident intent of appropriating the same to his own use. This was done on two checks, both written out by the bookkeeper in the office, who usually made out all the checks which were drawn upon the bank account. The checks are numbered correctly and the stubs contains the correct entries corresponding with each check.

The first of the two checks by Mr. Murphy, was in the following terms:

31 B. NEW YORK, August 27, 1877.

German Exchange Bank, 245 Bowery, cor. Stanton:

Pay to the order of the Bowery National Bank forty thousand dollars.

\$40,000. OWEN MURPHY, Treasurer.

This check was deposited by Mr. Murphy, on August 27, 1877, in the Bowery National Bank, and placed to the credit of an account opened by him, in his own name. Before crediting Mr. Murphy with the amount, the Bowery National Bank had the check certified by the German Exchange Bank. On the following day, August 28, Mr. Murphy drew from the Bowery National Bank, of the moneys so deposited by him, \$20,000, and the remaining \$20,000 he left on deposit until December 21, on which day he drew the entire balance and received payment in bills.

On the day following, December 22, 1877, the second check was drawn by Mr. Murphy on the German Exchange Bank, in the following terms:

442 B. NEW YORK, December 22, 1877.

German Exchange Bank, 245 Bowery, cor. Stanton street:

Pay to the order of Owen Murphy, Treasurer, fifty thousand dollars.

\$50,000.

OWEN MURPHY, Treasurer.

This check was certified by the German Exchange Bank and deposited by Mr. Murphy in an account opened by him as Treasurer in the Pacific Bank, and immediately upon this deposit being made by him he drew against the account to the extent of \$10,000, which amount was paid to him in bills. The balance, \$40,000, still remains in the Pacific Bank to the credit of the account "Owen Murphy, Treasurer."

Tenth. The licenses actually issued by the Board on applications made subsequent to the 1st of May, 1877, during the period from May 1 to December 31, 1877, were, with the fees payable thereon, as follows:

Class 1, Grade 1, 10 at \$250.....	\$2,500 00
" 1, " 2, 50 at 100.....	5,000 00
" 1, " 3, 279 at 75.....	20,925 00
" 2, 230 at \$50.....	11,500 00
" 3, 2,671 at 30.....	80,130 00
	\$120,055 00

These license fees were all payable out of the deposits made with the Board when the applications were filed.

The amount paid to the Chamberlain out of these deposits, as shown above, was.....\$140,000 00

Amount which the Chamberlain was entitled to receive, being the fees on licenses granted, as above.....120,055 00

Excess paid to Chamberlain.....\$19,945 00

Eleventh. The entire deposits made with the Board by applicants for licenses for the period from May 1 to December 22, 1877, as appearing on the books of the Board, was, as above.....\$274,617 41

Of which returned to depositors, whose applications were rejected.....\$22,230 36

License fees on licenses granted, payable from these deposits, as above.....120,055 00

\$142,285 36

Balance of deposits made with Board by applicants for licenses, and which ought to be repaid to them by the Commissioners.....\$132,332 05

The only available funds from which these repayments can be made are the following:—

(1.) Balance in German Exchange Bank, December 22, 1877.....	\$22,127 05
(2.) Balance to the credit of O. Murphy, Treasurer, in the Pacific Bank.....	40,000 00
(3.) Balance in hands of Chamberlain, being excess paid to him from deposits for license fees over amounts due on licenses granted.....	19,945 00

\$82,072 05

Deficiency.....\$50,260 00

Which is shown to arise as follows:

(1.) Difference betwixt amount as appears by books of the Board to have been collected as deposits from applicants for licenses subsequent to May 1, 1877, and amounts deposited in German Exchange Bank during this period, viz:

Amount collected by and deposited with Board.....\$274,617 71

Amount deposited by Board in bank.....274,357 41

\$260 00

(2.) Amount drawn by Murphy from German Exchange Bank, August 27, 1877, and deposited in Bowery National Bank, and subsequently drawn by Mr. Murphy therefrom, and applied by him to his own use.....\$40,000 00

Amount drawn by Murphy from German Exchange Bank on December 22, 1877, and deposited by him in Pacific Bank.....\$50,000 00

Remaining in Pacific Bank.....40,000 00

Drawn by Murphy from Pacific Bank, December 22, 1877, and applied by him to his own use.....10,000 00

50,000 00

\$50,260 00

This deficiency of \$50,260.00 is exclusive of the sums paid to Mr. Childs, amounting to \$1,250, and of the \$12,000 collected by the employees of the Board, as above explained; of the sums deposited with the Board for which no entry was made in the books; of the sums entered as repaid to depositors when no such payment was made; and of the sums retained when the amount actually paid was less than the amount of the check cashed in the office of the Board.

The difficulties in the way of obtaining the facts as to each of these special cases, we found to be an effectual bar to our prosecuting the inquiry in that direction.

Twelfth. The Commissioners of Excise received the deposits from the applicants for licenses entirely on their own responsibility and without the sanction or authority of law.

The deposits in such circumstances were mere voluntary consignments by the applicants for licenses with the Commissioners of Excise, and were received and held by the latter in trust for the exclusive benefit of the parties making the deposits. The understanding of the parties—and as part of the understanding, the voluntary undertaking of the Commissioners—was that each deposit should be applied by the Commissioners in payment of the license fee, if the application for license was granted, and failing the granting of the application, that the deposit made was to be returned to the party who had made the same. These deposits were not each kept distinct and separate from the others. All have been massed into one common fund. For the application of this fund to the purpose of which it was received the Commissioners are alone responsible, and to the respective depositors all the Commissioners are equally responsible.

The moneys were deposited with the Commissioners, and not with any particular one of their number, and they are not relieved of their responsibility until they have applied the entire funds which they accepted on deposit to the purposes for which the deposit was made—which was the payment of the license fee on the granting of the license, or the return of the deposit on the rejection of the application.

The books of the Board show a deficiency of \$50,260 on the moneys deposited with the Commissioners. Of this amount there is traced directly to Commissioner Murphy \$50,000, and of this amount Mr. Murphy seems to have appropriated \$40,000 so far back as August 27, 1877.

Apparently there was no concealment by him as to the appropriation of this forty thousand dollars. The check for the amount was written on one of the form of checks used by the Board, taken in its order from the check book in daily use, numbered in its proper order, written out by the Clerk of the Board, whose business it was specially to write out all these checks drawn by the Board; and the entry from the stub of the check book which corresponds with the particulars of the check, and the debit entry in the bank book were transferred in the usual way to the cash book of the Board. No concealment was attempted as to the transaction in any way whatever. The Commissioners had possession of these various books. The check book was not in the possession of Mr. Murphy more than in the possession of the other Commissioners, neither was the bank book, nor the cash book. These various books were in daily use, were handled daily by the subordinates of the Commissioners, daily entries were made by these subordinates in the check book and in the cash book, and it is no answer therefore to the other Commissioners to say that they were not aware of Mr. Murphy's transaction. If they were not, it is clear they ought to have been aware of the same. And to say that they were ignorant thereof only shows gross dereliction of duty on their part. Such dereliction, instead of relieving them, fastens more clearly the liability upon them.

The subordinates of the Board were evidently fully aware of the transaction referred to, and it is not too much to say that their proceedings as above explained show an evident determination to make on their part all they possibly could in the peculiar circumstances. Such action on the part of subordinates in any Department, board, or office connected with the government of the city, or any of its public trusts, ought not to be allowed or tolerated for an instant.

There being in fact a deficiency of at least \$50,260 to reimburse depositors, it is clear that no portion of the funds on hand could be applied by the present Board of Excise to the payment of license fees, for any license the Board might grant on applications made preceding the date they entered upon the duties of their office. To apply any portion of the funds deposited with the late Commissioners to the payment of license fees granted by the present Commissioners, would be to give to those parties who received their licenses, a preference on the fund to those whose licenses might be rejected, and for this reason we advised the present Commissioners that the funds ought not to be so applied by them, and they have taken action accordingly.



To us it appears that the only course which can be followed to secure the rights of all parties interested, is to have the balance of the funds remaining, which had been deposited with the Commissioners, distributed pro rata among the depositors, under judicial proceedings, and in these proceedings the necessary authority can be obtained to institute on behalf of all parties interested the appropriate action against the late Commissioners, to make good the deficiency as far as they have means to respond thereto.

Respectfully submitted,  
LINDSAY I. HOWE, } Commissioners  
JOHN H. MOONEY, } of Accounts.

Which was ordered to be printed in full in the CITY RECORD, and ordered on file.

Alderman Phillips moved to refer to the Committee on Public Works.

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

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

Affirmative—Aldermen Biglin, Kiernan, Morris, Perley, Phillips, and Pinckney—6.

Negative—The President, Aldermen Ehrhart, Foster, Gedney, Guntzer, Hall, Lewis, Sauer, Sheils, and Slevin—10.

Alderman Sauer moved that the paper be laid over.

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

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

Affirmative—The President, Aldermen Bennett, Biglin, Carroll, Ehrhart, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Perley, Pinckney, Sauer, Sheils, and Slevin—18.  
Negative—Alderman Phillips—1.

#### MOTIONS AND RESOLUTIONS RESUMED.

(G. O. 61.)

By Alderman Sauer—

Resolved, That on Twelfth avenue, from the northerly line of One Hundred and Thirtieth street to One Hundred and Thirty-third street, curb and gutter stones be set, and the sidewalks flagged four feet wide through the centre thereof, and the carriageway be paved with Belgian pavement, and crosswalks be laid at each intersecting street, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was laid over.

(G. O. 62.)

By the same—

Resolved, That Twelfth avenue, from the northerly line of One Hundred and Thirtieth street to One Hundred and Thirty-third street, be regulated and graded, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was laid over.

#### MESSAGES FROM HIS HONOR THE MAYOR RESUMED.

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

EXECUTIVE DEPARTMENT—CITY HALL, }  
NEW YORK, February 26, 1878.

To the Honorable the Common Council:

GENTLEMEN—I herewith return, without my approval, the resolution "to permit Ann Connolly to erect a stand in Pike slip for the sale of coffee and fruits."

I am satisfied that the Common Council have no legal authority to grant the proposed permission, and I am therefore constrained to withhold my approval.

SMITH ELY, JR., Mayor.

Resolved, That permission be and the same is hereby given to Ann Connolly to erect a stand in Pike slip for the sale of coffee and fruits; 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.

(G. O. 63.)

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

EXECUTIVE DEPARTMENT—CITY HALL, }  
NEW YORK, February 26, 1878.

To the Honorable the Common Council:

GENTLEMEN—I herewith transmit for your consideration a communication from the Comptroller relative to the law regulating contracts for lighting the public lamps, and transmitting a bill prepared by him to be presented to the Legislature, with the approval of the Mayor and Board of Aldermen.

Very respectfully,

SMITH ELY, JR., Mayor.

CITY OF NEW YORK—FINANCE DEPARTMENT,  
COMPTROLLER'S OFFICE, February 20, 1878.

Hon. SMITH ELY, JR., Mayor:

SIR—The existing law regulating contracts for lighting the public lamps has been construed as requiring the Gas Commission to make contracts for a single year corresponding with the calendar and fiscal year of the Corporation, or for parts of a single fiscal and calendar year. This limitation of power is attended with great inconvenience and injury to the interests of the city. The gas companies object to enter into contracts beginning on the 1st of January, when there is great risk and cost in removing the pavements and opening the streets for the necessary lamp connections in mid-winter, and much difficulty in replacing them in good condition. It is therefore very desirable, if not actually necessary, that the Gas Commission should have the power to make contracts for the term of one year, embracing parts of two fiscal and calendar years, say from the 1st of May of one year to the same date in the following year, or for the term of one year between any other dates of two calendar years, as the Commission may consider most advantageous for the city.

To carry out this object, I have prepared a bill, which is herewith transmitted, to be presented to the Legislature, with the approval of yourself and the Board of Aldermen.

Very respectfully,

JOHN KELLY, Comptroller.

AN ACT relating to contracts for lighting the public lamps in the City of New York.

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

Section 1. The Board authorized to make and enter into contracts for lighting the streets, avenues, and places of the city of New York with gas, consisting of the Mayor, Comptroller, and Commissioner of Public Works, is hereby authorized and empowered to contract for such lighting the public lamps with gas in said city by one or more contracts, to be let at public lettings, as provided by law, for a period of one year, or any part of a year, and commencing and terminating at any dates the said Board may determine.

Sec. 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Which was laid over.

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

EXECUTIVE DEPARTMENT—CITY HALL, }  
NEW YORK, February 26, 1878.

To the Honorable the Common Council:

GENTLEMEN—I herewith return, without my approval, resolution and ordinance "to fence vacant lots on the south side of Eighty-third street, at and near the southwest corner of Eighty-third street and Madison avenue."

The Commissioner of Public Works informs me that the property-owners have recently erected and painted a neat board fence, inclosing the lots named in the ordinance, and I am therefore compelled to withhold my approval.

SMITH ELY, JR., Mayor.

Resolved, That the vacant lots on the south side of Eighty-third street, adjoining the improved property at and near the southwest corner of Eighty-third street and Madison avenue, be fenced in, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

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

#### MOTIONS AND RESOLUTIONS AGAIN RESUMED.

By Alderman Carroll—

Resolved, That One Hundred and Twelfth street, from Madison avenue to a point one hundred and seventy-five feet easterly, be regulated, graded, curb and gutter set, and rest of sidewalks flagged and reflagged, where not already done, 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 Bennett—

Resolved, That J. S. Williams 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 Carroll—

Resolved, That the sidewalk on the north side of Seventy second street, from Lexington to Third

avenue, be flagged and reflagged full width, where not already done, 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 the sidewalk on the north side of One Hundred and Seventeenth street, between First avenue and Avenue A, be flagged, 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 Bennett—

Resolved, That permission be and is hereby given to Philip Knab to retain a meat-rack in front of his store No. 237 Sullivan street; the same 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 Waehner—

Resolved, That permission be and the same is hereby given to William Zahn to erect an ornamental lamp-post in front of premises No. 154 Fourth avenue, the work to be done at his own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

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

Which was decided in the affirmative.

By Alderman Bennett—

Resolved, That Abraham Moses be and he is hereby reappointed a Commissioner of Deeds in and for the City and County of New York, to take effect from and after the expiration of his present term, which will be on the 10th day of March, 1878.

Which was referred to the Committee on Salaries and Offices.

By the same—

Resolved, That permission be and the same is hereby granted to Edward Page to keep a small fruit-stand on the curb-stone in front of house No. 384 Canal street, corner West Broadway, he having received permission from the owners and occupants; the same 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 the same—

Resolved, That Baker, Smith & Co. be and are hereby given permission to receive and deliver goods in front of their factory Nos. 49-51 West Houston street; the same to continue only during the pleasure of the Common Council.

Which was referred to the Committee on Law Department.

#### REPORTS.

(G. O. 64.)

The Committee on Public Works, to whom was referred copies of two bills now before the Legislature relating to local expenditures, transmitted by his Honor the Mayor, with a communication from the Comptroller calling the attention of the local authorities to the objectionable character of certain provisions contained in said bills, respectfully submit the following

#### REPORT:

Your Committee, as recommended by his Honor the Mayor, have given the provisions of the bills referred to the most careful and earnest consideration, in connection with the accompanying communication from the Comptroller, and also a communication to his Honor the Mayor on the same subject from the Commissioner of Public Works, which had been subsequently referred to your Committee.

These bills relate to "repavement" and "the supply of Croton water" in the city. They amend existing acts and authorize the issue of city bonds and local expenditures, by which the municipal debt and taxation will be largely and unnecessarily increased. That such will be the results of the operation of the amendatory provisions they contain has been fully explained by the Comptroller in his communication to the Mayor, and the Commissioner of Public Works has not presented any reasons in his communication which can lead to any other conclusion, but, on the contrary, he only confirms it as correct by his attempt to justify such expenditures, without removing the obvious objections to making them, which are shown by the Comptroller.

While directing attention to these objectionable features of the said bills, on which account alone, if for no other reasons, they should be disapproved of, your Committee desires to express its hearty concurrence in the condemnation given by the Comptroller to the old and baneful practice of Departments of the city government obtaining legislation at Albany, authorizing expenditures for local objects under their own direction and control, without first obtaining the approval of the local authorities, in referring to the manner in which these bills have been presented to the Legislature, as follows:

"Both these amended bills are of that class of special legislation for local affairs, without the consent and approval of the proper city authorities having been first received authorizing expenditures and the issue of bonds, which has heretofore saddled the city with debt and made taxation burdensome."

Your Committee is of the opinion that until legislation of this character is absolutely prohibited, and a system of genuine local self-government is established, the most watchful supervision of the interests of the city cannot entirely protect the treasury against such improper public expenditures.

It is stated in the communication of the Commissioner of Public Works, that one of the amendments to the bill relating to "repaving," providing for reviving and validating old illegal contracts, which the Comptroller particularly denounced as likely to involve the city for a large and indefinite amount of liabilities, has been "stricken out of the bill, as reported," by the Assembly Committee on the Affairs of Cities, and further consideration of this iniquitous provision is therefore rendered unnecessary.

The amendment of this bill, however, which provides for "repaving," when the owners of two-thirds of the front feet on the street petition for the work, is retained.

In regard to this provision the Commissioner of Public Works says:

"The simple question is, shall citizens be authorized to have their streets repaved by paying for it themselves, if they deem it their interest to do so? New streets now receive their first pavement in this manner, by petition and ordinance, and there seems to be no objection to repavement in the same manner."

There is very great objection to "repavement in the same manner" as "first pavements," for the simple reason that the law in relation to these two kinds of pavements differs entirely as to the liability of loss to the treasury by the vacation of assessments on technical grounds. While the city is protected against vacations of assessments for "first pavements," there is no protection whatever against vacations of assessments for "repavements."

By chapter 580, Laws of 1872, the enormous loss to the city by vacations of assessments on technical grounds, amounting then to several millions of dollars, was arrested, provision being made in section 7, that "no assessment" should be vacated on technical grounds, "except only in cases in which fraud can be shown, and in cases of assessment for repaving any street or public place upon property for which an assessment has once been paid for paving the same street or public place."

Now, this exception in favor of repavement assessments will apply to assessments for repaving under the proposed amendment of the law, which would restore the execution of such work on the petition of two-thirds of the owners of property on a street, the expense to be paid from the proceeds of assessment bonds.

The fact is, the treasury has already lost more than a million and a half of dollars from vacations of assessments for repavements, and the cost of such works on which assessments could not be legally collected after they were executed. In the year 1875 Comptroller Green furnished the Board of Aldermen with a tabular "statement of the amounts paid on contracts for repaving streets and avenues on which no assessment can be legally imposed," aggregating nearly one million dollars, as published in Document No. 11 of the Board of Aldermen for 1875. Nearly as much more has been lost to the treasury by actual vacations of assessments on technical grounds alone.

The Commissioner of Public Works is, therefore, wrong in his assumption that "losses may occur to the city in new streets, where the property is unimproved, but where repavements are likely to be called for there seems to be no danger of loss by failure to meet assessments, as the property has long been built up, and the assessment would be the merest fraction of the value of the property."

The owners of property are not governed by the amount they are called upon to pay for any local improvement. Large or small, they throw it on the city when they can under the law.

It was found to be impossible to enforce the collections of assessments for paving streets that had been previously paved by assessments on the property, and for that reason a new system was adopted in 1875 for repaving streets at the expense of the city at large, not exceeding \$500,000 per annum, payable from taxation, and not by the issue of bonds and increase of the debt.

Chapter 475, Laws of 1875, was passed, which provided for repaving streets by taxation and annual appropriations for the purpose.

The bill before the Legislature proposes to revive the old system of repaving streets by assessments, and at the same time continues in force the present system of repaving streets at the expense of the city at large, out of annual appropriations made for the purpose.

Here are two systems proposed in one act. One to repave streets by money raised from taxation, and the other to repave streets by money raised on assessment bonds. And yet the bill is entitled "An act to provide for a uniform system for the repavement of streets, avenues, and public places in the City of New York."

These two systems are manifestly in conflict with each other, and wholly incompatible. It is



hardly possible, and not reasonable, to suppose that the owners of property will be willing to pay assessments for repaving while the same work is done by the city from taxation, of which they pay their proportion.

But if, as the Commissioner of Public Works says, "the simple question is, shall citizens be authorized to have their streets repaved by paying for it themselves," is true, there is no certainty they will pay for the work, even if they do desire it and petition to have it done. The amendment allowing the owners of property to have the repaving done on "petition and ordinance," to be paid for by assessments, not only introduces a system for performing the work which conflicts with the present system of payment by taxation, but one which contains an element of injustice, partiality, and favoritism, which are very dangerous and sufficient to condemn and defeat its adoption. It is also open to the objection made by the Comptroller, that it is "loose and indefinite." It provides for the verification of "signatures" to a petition to have a street repaved, but there is no provision for verifying and establishing the fact of ownership of property liable to assessment for the work; nor do the assessment laws provide for this necessary identification of owners in order to protect the city from loss by vacations of assessments on technical grounds, if there is any objection to the payment after the work has been done.

The evil effects of this proposed legislation cannot be excused or palliated on the ground of necessity.

By the act, chapter 476, Laws of 1875, to provide a uniform system for the repaving of the streets, etc., in the City of New York, \$500,000 can be annually expended in the work of repaving. In 1877, the Commissioner of Public Works, under this law, paved with granite-block pavement West Broadway, from Chambers to Canal street; College place, from Chambers to Barclay street; Ferry street, from Gold street to Peck Slip; Spruce street, from Nassau to Gold street; John street, from Broadway to Water street; Warren street, from Broadway to West street; Maiden lane, from Broadway to South street; Nassau street, from Spruce to Wall street; Franklin street, from West Broadway to Centre street; Dey street, from Broadway to West street; Cortlandt street, from Broadway to West street; Murray street, from Broadway to West street; Wall street, from William to Hanover street; Liberty street, from Maiden lane to West street; Rector street, from Broadway to West street; Sixth avenue, from Forty-second street to Fifty-ninth street; and with trap-block pavement, Washington street, from Battery place to Liberty street; and Pearl street, from Fulton street to Coenties Slip.

From the appropriation for the present year under this law the Commissioner has recommended, and no doubt will be authorized, to pave with granite-block pavement:

Barclay street, from Broadway to College place; Washington square roadway, from Fifth avenue to South Fifth avenue; Waverley place, from Broadway to Christopher street; Mercer street, from Canal to Bleeker street; Fourteenth street, from University place to Ninth avenue; Fifteenth street, from Broadway to Fifth avenue; Irving place, from Fourteenth to Twentieth street; Seventh avenue, from Fourteenth to Forty-third street; Fifteenth street, from Third to Fourth avenue; Morris street, from Broadway to Greenwich street.

With trap-block pavement, Water street, from Whitehall to Fulton street; Madison street, from Pearl to Market street; Market street, from Division street to East river; Clinton street, from Division street to East river; Pearl street, from Broadway to New Bowery; Twenty-third street, from Third avenue to East river; Forty-second street, from Third to Fourth avenue; Barrow street, from Washington place to West street; White street, from Broadway to Centre street; One Hundred and Twenty-eighth street, from Fourth to Sixth avenue.

With Macadam pavement, Fifth avenue, from Fifty-ninth to Seventy-second street, and Fifth avenue, from One Hundred and Twenty-fourth street to One Hundred and Thirtieth street.

The Committee on Public Works, on the 12th instant, reported favorably, on the recommendation of the Commissioner of Public Works, a resolution ordering the above work to be done, which was passed by the Board of Aldermen on the 19th instant, and now awaits the approval of his Honor the Mayor. Most tax-payers, you Committee apprehend, will be satisfied with the progress above shown in the work of repaving our streets since the law has been in operation, particularly as no increase of the city debt is or can be made under its provisions, and as it continues the appropriation of \$500,000 annually, payable from taxation, they will most assuredly be opposed to an indefinite increase of the amount to be expended as proposed by the amended bill.

For these reasons your Committee recommend that the proposed bill amending the act relating to repaving shall be disapproved.

Attention is also directed by the Comptroller to the amendment of the act, chapter 477, Laws of 1875, relating to the distribution of Croton water in the city, by the interpolation of the words, "and erecting or constructing such structures and fixtures as the said Commissioner of Public Works may deem necessary."

Your Committee do not think the proposed amendment is a proper one, for several reasons. The original act confers upon the Commissioner of Public Works the power to execute the work provided for in any manner he pleases, with or without contract, and the concurrence of the Common Council and the approval of the Mayor, as required by the act before the execution of any work, does not restrict or in any manner limit the expenditures which may be incurred or become necessary or the completion of any work when once begun under any such ordinance.

The Commissioner of Public Works now states in his communication that the object of this amendment is to authorize the erection of necessary pumping engines for "a high-service supply" at Ninety-seventh and Ninety-eighth streets. This purpose is not specified in the amendment, which is so indefinite as to be capable of application to works of any kind and extent, without reference to locality or ultimate cost.

But even with the explanation of the particular object of the proposed amendment, made by the Commissioner of Public Works, the necessity for the "high-service" supply of water is by no means apparent or sufficient to justify the outlay at the present time, or to divert the unexpended balance of the appropriation from a more important and urgent need for the application of the money.

As stated by the Commissioner of Public Works, over \$700,000 of the amount authorized by the present act (chapter 47, Laws of 1875) is still unexpended; this, too, notwithstanding the fact that a resolution of the Common Council, approved by the Mayor, August 8, 1876, drawn in conformity with the existing law for increasing the supply of water for the east side of the city, still remains a dead letter, and the work, which is one of the greatest importance to the health, comfort, and convenience of half a million of people, has been suspended since the approval of the resolution by the Mayor. This resolution directs that, pursuant to section 2, chapter 477, Laws of 1875, the Commissioner of Public Works shall lay a 48-inch Croton-main from Seventy-ninth street through First avenue to Fourteenth street; also a 36-inch Croton-main from First avenue and Fourteenth street to Houston street; Houston street to Orchard street; Orchard street to Division street; Division street to Pike street; Pike street to East Broadway, with the necessary connections and large hydrants. The necessity of this work will be understood when it is known that the Fire Underwriters hesitate to take risks on buildings on the east side of the city at all, and if they do so, it is only at the most extravagant rates, in consequence of the known and admitted scarcity of water. Why is this state of affairs continued while the sum of \$707,000 yet remains unexpended of the amount authorized by the existing law, and why is additional power and more money to erect "structures and fixtures," asked in the proposed amendment to the law, unless it be to enable the Department charged with the performance of the work to discriminate still more broadly between the poor people of the east side, in the First, Second, Fourth, Sixth, Seventh, Tenth, Eleventh, Thirteenth, Fourteenth, and Seventeenth Wards, comprising the Fourth and Sixth Senatorial Districts, and the First, Second, Third, Fourth, Sixth, Eighth, Tenth, Twelfth, and Fourteenth Assembly Districts, and those residents of more elevated and wealthy neighborhoods? The originators and abettors of these schemes to obtain the control of the streets and water supply for this city, the effect of which will be to largely increase the debt, may, perhaps, answer these questions to the satisfaction of their constituents and the people generally, but your Committee cannot.

Your Committee, in view of all the facts, are of opinion that it would be well to remonstrate earnestly with the Legislature of this State against the passage of bills of the character alluded to in this report. It is necessary to do so, in order to show, should the bills, or either of them, be passed, that the corporate authorities did all that legitimately lay in their power to prevent their passage by the Legislature, and the addition they are certain, if they become laws, to make to the debt of this city.

The following resolutions are, therefore, respectfully submitted for your adoption:

Resolved, That the Common Council, the authorized representatives of the people of the City of New York, hereby respectfully, yet in the most earnest manner, remonstrate and protest against the passage by the Legislature of this State of the act entitled "An act to amend an act to provide for a uniform system for the repaving of streets, avenues, and public places in the City of New York," passed May 28, 1875; also against the passage of the act entitled "An act to amend chapter 477 of the Laws of 1875, entitled 'An act to amend an act to provide a further supply of pure and wholesome water for the City of New York,'" passed February 27, 1871; and also an act to amend an act to re-enact and amend the same, passed April 6, 1871; also to "extend the distribution of Croton water through the City of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at a higher elevation," passed May 28, 1875, and we hereby respectfully request the Senators and Assemblymen for this city to use every honorable means to prevent the passage of the above-mentioned bills; and be it further

Resolved, That his Honor the Mayor be and he is hereby respectfully requested to cause a copy of the foregoing resolution to be duly authenticated and transmitted to the President of the Senate and the Speaker of the Assembly, with a request that it be presented in both Houses, as the protest of the Common Council of the City of New York, against the passage of said bills; and be it further

Resolved, That the foregoing report, together with the accompanying papers, be printed in document form and a copy transmitted to each member of the Senate and Assembly, and also a copy to his Excellency Governor Lucius Robinson.

THOMAS SHEILS, } Committee  
GEO. HALL, } Public Works.

To the Honorable the Board of Aldermen:

The Committee on Public Works, to whom was referred the communication from the Com-

troller, dated the 5th inst., in relation to two bills lately introduced into the Assembly, having carefully examined the subject, respectfully

#### REPORT:

First, in regard to the bill entitled "An act to amend an act to provide for a uniform system for the repaving of streets, avenues, and public places in the City of New York," passed May 28, 1875.

It appears that by the Act of 1875 the authority to repave streets in this city by ordinance of the Common Council, on petition of a majority of the property-owners to be assessed for the repaving, was abrogated. In its place the Act of 1875 provided for an annual expenditure, not exceeding \$500,000, for the repaving of streets, the money to be raised by general taxation. Under this law no appropriation was made by the Board of Estimate and Apportionment in 1875 and 1876. For the year 1877 the sum of \$200,000 was appropriated and expended, and for the year 1878 the sum of \$300,000 has been appropriated. Meantime the demand for repavements is greater than the means thus appropriated, and many property-owners have expressed their desire to have their streets repaved and the expense assessed upon them, as formerly.

Under the proposed amendment no expenditure can be incurred without the petition of two-thirds of the property-owners, in number and interest, to be assessed, and a three-fourths vote of your Board, and the approval of the Mayor. Many streets are in bad condition, and where property-owners desire to pay for the repaving of streets, the authority to do the work should not be denied. Your Committee have learned that the objectionable clause in the amendment, legalizing former contracts, has been stricken out as the bill was reported from the Committee on Cities.

Your Committee therefore see no objection to the proposed amendment as reported by the Committee on Cities, and deem it for the interest of the city and the public that it become a law.

Second, in regard to the bill to amend chapter 477 of the Laws of 1875.

By chapter 477 of the Laws of 1875, the Department of Public Works has power to expend, when thereunto authorized by a three-fourths vote of the Common Council, approved by the Mayor, the sum of \$1,500,000 in laying pipes to extend the distribution of Croton water throughout the city, and to deliver it at higher levels.

For the past few years the Department of Public Works has found it impossible to deliver water to many houses on high ground with sufficient pressure, notwithstanding the aid of the present high-service works at High Bridge, which are now taxed to their full capacity. To deliver water in sufficient quantity and with sufficient pressure to buildings on high ground, it is found necessary to erect additional pumping machinery. The Council to the Corporation has advised the Commissioner of Public Works that the Law of 1875 appears to authorize the laying of pipes only, and that the authority to erect the necessary pumping machinery is at least doubtful.

The proposed amendment merely supplies this authority, adding nothing to the appropriation and authorizing no additional expenditure. The ground required for the structures is owned by the city and has been set aside for this purpose. The expenditure is still subject to a three-fourths vote of your Board and the approval of the Mayor. The necessity of a proper supply of water to the elevated portions of the city, now partially or wholly deprived of it, is evident.

Your Committee therefore deem the proposed amendment a proper one, and believe it for the public interest that it become a law.

J. C. PINCKNEY, } Minority of Committee  
B. BIGLIN, } on Public Works.

Which was laid over.

(G. O. 65.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of fencing vacant lots on the north side of Sixty-first street, between Fifth and Madison avenues, respectfully

#### REPORT:

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

Resolved, That the vacant lot or lots on the north side of Sixty-first street, between Fifth and Madison avenues, be fenced in, where not already done, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

THOMAS SHEILS, } Committee  
THOS. CARROLL, } on  
GEO. HALL, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 66.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of having the sidewalk on the east side of Second avenue, between Sixty-fourth and Sixty-fifth streets, flagged full width, 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 east side of Second avenue, between Sixty-fourth and Sixty-fifth streets, be flagged full width, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

THOMAS SHEILS, } Committee  
THOS. CARROLL, } on  
GEO. HALL, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 67.)

The Committee on Public Works, to whom was referred the annexed resolution and ordinance in favor of fencing vacant lots on the northeast corner of Eighty-third street and 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 vacant lots on the northeast corner of Eighty-third street and Second avenue, being twenty-five feet front on Second avenue, and running easterly two hundred feet, be fenced in, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

THOMAS SHEILS, } Committee  
THOS. CARROLL, } on  
GEO. HALL, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 68.)

The Committee on Public Works, to whom was referred the annexed resolution in favor of laying Croton water-mains and gas-mains in One Hundred and Fourth street, between Fourth and Fifth avenues, 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 Croton water-mains and gas-mains be laid in One Hundred and Fourth street, between Fourth and Fifth avenues; the Croton water-mains to be laid as provided in section 2, chapter 477, Laws of 1875.

THOMAS SHEILS, } Committee  
THOS. CARROLL, } on  
GEO. HALL, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 69.)

The Committee on Public Works, to whom was referred the annexed petition and resolution in favor of laying gas-mains, etc., in Prospect street, between Main street and Boston road (Twenty-fourth 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 gas-mains be laid, lamp-posts erected, and street-lamps lighted in Prospect street, between Main street and Boston road (Twenty-fourth Ward), under the direction of the Commissioner of Public Works.

THOMAS SHEILS, } Committee  
THOS. CARROLL, } on  
GEO. HALL, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 70.)

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

#### REPORT:

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

Resolved, That Croton water-mains be laid in Sixty-fourth street, between Tenth and Eleventh



avenues, as provided in section 2, chapter 477, Laws of 1875, under the direction of the Commissioner of Public Works.

THOMAS SHEILS, } Committee  
THOS. CARROLL, } on  
GEO. HALL, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

(G. O. 71.)

The Committee on Public Works, to whom was referred the annexed petition in favor of having Croton-mains laid in One Hundred and Thirtieth street, between Sixth and Seventh avenues, respectfully

#### REPORT:

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

Resolved, That Croton-mains be laid in One Hundred and Thirtieth street, between Sixth and Seventh avenues, under the direction of the Commissioner of Public Works, in pursuance of section 2, chapter 477, Laws of 1875.

THOMAS SHEILS, } Committee  
THOS. CARROLL, } on  
GEO. HALL, } Public Works.  
J. C. PINCKNEY, }

Which was laid over.

The Committee on Ferries and Docks, to whom was referred the annexed petition to establish a ferry from a point in the City of New York between Pier No. 1, North river, and the pier foot of Grand street, East river, wherever a land can be obtained, to the foot of Thirty-eighth street, Gowanus Bay, Brooklyn, respectfully

#### REPORT:

That, in the opinion of your Committee, a ferry such as is proposed would be a great convenience to many persons resident in the two cities, particularly to all having occasion to visit Greenwood Cemetery. Your Committee therefore are in favor of granting the prayer of the petitioners, and accordingly recommend for your adoption the following resolution:

Resolved, That a ferry be and is hereby established from a point between Pier No. 1, North river, and the pier foot of Grand street, East river, wherever a land can be obtained, to the foot of Twenty-seventh street, or Thirty-sixth street, or Thirty-eighth street, in Gowanus Bay, Brooklyn, under such conditions as may be prescribed by the Commissioners of the Sinking Fund.

THOS. CARROLL, } Committee  
B. BIGLIN, } on  
THOMAS SHEILS, } Ferries and Docks.

Which was laid over.

Subsequently Alderman Lewis moved a reconsideration of the above action of the Board.

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

Which was decided in the affirmative.

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

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

Affirmative—The President, Aldermen Bennett, Biglin, Carroll, Ehrhart, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Perley, Phillips, Pinckney, Sauer, Sheils, Slevin, and Slevin—19.

(G. O. 72.)

The Committee on Public Works, to whom was referred the annexed resolution in favor of placing Boulevard lamps on the lamp-posts in front of the U. P. Church in Charles street, between West Fourth street and Waverley place, 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 Boulevard lamps be placed on the lamp-posts in front of the U. P. Church in Charles street, between West Fourth street and Waverley place, under the direction of the Commissioner of Public Works.

THOMAS SHEILS, } Committee  
THOS. CARROLL, } on  
GEORGE HALL, } Public Works.  
J. C. PINCKNEY, }  
B. BIGLIN, }

Which was laid over.

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

The President laid before the Board the following communication from the Department of Finance:

CITY OF NEW YORK—DEPARTMENT OF FINANCE, }  
COMPTROLLER'S OFFICE, February 23, 1878. }

To the Honorable the Board of Aldermen:

Weekly statement, showing the appropriations made under the authority contained in section 112, chapter 335, Laws of 1873, for carrying on the Common Council from January 1 to December 31, 1878, both days inclusive, and of the payments made up to and including the date hereof, for and on account of each appropriation.

Title of Appropriations.	Am't of Appropriations.	Payments.
City Contingencies.....	\$1,250 00	.....
Contingencies—Clerk of the Common Council.....	250 00	.....
Salaries—Common Council.....	106,000 00	\$9,009 86
JOHN KELLY, Comptroller.		

Which was ordered on file.

#### UNFINISHED BUSINESS.

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

Resolved, That permission be and the same is hereby given to S. Smith to erect a storm-door in front of the entrance No. 151 Grand street, the work to be done at his own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

The Board then proceeded to reconsider the same in the manner prescribed by law, and upon a vote being taken thereon, was adopted, notwithstanding the objection of his Honor the Mayor, on a division, viz.:

Affirmative—The President, Aldermen Bennett, Biglin, Carroll, Ehrhart, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Sauer, Sheils, and Slevin—15.  
Negative—Aldermen Morris, Perley, Phillips, and Pinckney—4.

#### PETITIONS RESUMED.

By Alderman Morris—

Protest of the Public Parks Protective Association against the erection of an armory in Washington square, as follows:

*Protest of the Public Parks Protective Association against the erection of an Armory in Washington square:*

At a meeting held on Monday evening, 25th February, of the Executive Committee of the Public Parks Protective Association representing Washington square district, it was announced that at a conference held in the afternoon at the Mayor's Office by the Committee on County Affairs of the Board of Aldermen, with the Mayor, Comptroller, and officers of the National Guard in regard to providing armories, it had been resolved to petition the Legislature to amend the Military Code by excepting Washington square from the protection given to the squares and parks, and to appropriate a part thereof for the erection of an armory.

The following protest against the said action was thereupon unanimously adopted:

Resolved, That on behalf of the Public Parks Protection Association, of over five thousand citizens, who have already signed remonstrances against the proposed scheme, and of the people at large of this city who hold that the parks should be sacredly held in trust for the purposes to which they were devoted, we do hereby protest against every attempt to divert Washington square from the uses to which it was dedicated, and especially against the erection of an armory therein, as inglorious to the beauty and usefulness of the square, and to the enjoyment and the health of the surrounding population;

Resolved, That this protest be presented without delay to the Board of Aldermen, and that that Honorable Body be respectfully requested to refuse their indorsement to the proposed change as one inconsistent with the public faith, fraught with danger to the public parks and places, and an attack upon the personal right and comfort of the people;

Resolved, That Alderman Morris be respectfully requested to present this protest to the Board of Aldermen and to support it by proper representation of the previous effects, as stated by eminent physicians, which must follow any such obstruction of Washington square, and that the five members of the said Board who reside in the district bordering on Washington square be respectfully asked to use their influence instantly to avert an act so fraught with wrong to the population of the city, and especially to that portion of it which has no other resort for health and recreation than the public parks.

[A true extract from the minutes.]

Attest:

THOS. EGLESTON, Secretary.

Whereupon Alderman Morris offered the following:

Resolved, That the Board of Aldermen do approve of the protest of the citizens and the Public Park Protective Association against taking any part of the city parks for armories; and be it further Resolved, That the Clerk of this Board be directed to immediately forward to the President of the Senate and the Speaker of the Assembly a certified copy of this resolution and protest.

Alderman Sauer moved to refer the paper to the Committee on County Affairs.

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

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

Affirmative—The President, Aldermen Bennett, Carroll, Foster, Gedney, Guntzer, Kiernan, Lewis, Sauer, Sheils, and Slevin—11.  
Negative—Aldermen Biglin, Ehrhart, Hall, Jacobus, Morris, Perley, Phillips, and Pinckney—8.

#### UNFINISHED BUSINESS RESUMED.

Alderman Morris called up G. O. 53, being a resolution, as follows:

Resolved, That the Department of Docks be and is hereby requested to place, where practicable, on every pier at which steamboats or other vessels receive or discharge passengers in this city, a third "string-piece," six feet from and parallel with either of the outer ones, and of like dimensions, the entire length of every such pier, in order to protect such passengers from annoyance or danger from vehicles; and that in every subsequent leasing of any such pier, a provision of this character be inserted in the lease; also that the said Department compel owners of private piers used for such purposes to provide a like appliance for the comfort and safety of pedestrians.

Alderman Pinckney moved to amend by inserting after the word "place" the words "or cause to be placed," and after the word "pier," before the words "a provision," the words "by the city."

Which was accepted by Alderman Morris.

Alderman Sauer moved to recommit the papers to the Committee.

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

Which was decided in the affirmative.

Alderman Sauer called up G. O. 40, being a resolution and ordinance, as follows:

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

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

Which was decided in the affirmative, on a division, viz.:

Affirmative—The President, Aldermen Bennett, Biglin, Carroll, Ehrhart, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Perley, Phillips, Pinckney, Sauer, Sheils, Slevin, and Waehner—20.

Alderman Morris called up G. O. 59, being a resolution, as follows:

Resolved, That boulevard lamps be substituted for the ordinary street-lamps on the lamp-posts now in front of St. Phillip's Church, 309 Mulberry street, also in front of the entrance to the Church of the Holy Communion, one on Sixth avenue and one on Twentieth street, also on the lamp-post in front of Zion's Church, corner of West Tenth and Bleecker 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, on a division, viz.:

Affirmative—The President, Aldermen Bennett, Biglin, Carroll, Ehrhart, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Perley, Sauer, Sheils, Slevin, and Waehner—18.

Alderman Perley called up G. O. 55, being a resolution, as follows:

Resolved, That the Commissioner of Public Works be and he is hereby authorized and directed to lay Croton-mains in East Seventieth street, between First avenue and Avenue A, all to be done in accordance with chapter 477, Laws of 1875.

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

Which was decided in the affirmative, on a division, viz.:

Affirmative—The President, Aldermen Biglin, Carroll, Ehrhart, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Perley, Phillips, Pinckney, Sauer, Sheils, Slevin, and Waehner—19.

Alderman Perley called up G. O. 57, being a resolution and ordinance, as follows:

Resolved, That the sidewalk on the south side of Fifty-seventh street, between Second and Third avenues, be flagged full width, 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, on a division, viz.:

Affirmative—The President, Aldermen Bennett, Biglin, Carroll, Ehrhart, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Perley, Phillips, Pinckney, Sauer, Sheils, Slevin, and Waehner—20.

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

Resolved, That two boulevard lamps be placed in front of the entrance to Grammar School No. 59, situated in Fifty-seventh street, between Second and Third avenues, 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, on a division, viz.:

Affirmative—The President, Aldermen Bennett, Biglin, Carroll, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Parley, Phillips, Pinckney, Sauer, Sheils, Slevin, and Waehner—19.

Alderman Ehrhart called up G. O. 54, being a resolution and ordinance, as follows:

Resolved, That One Hundred and Eighty-fifth street, from Kingsbridge road to Tenth avenue, be graded, curbed, guttered, and sidewalks laid, and that the same be 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, on a division, viz.:

Affirmative—The President, Aldermen Bennett, Biglin, Carroll, Ehrhart, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Perley, Pinckney, Sauer, Sheils, Slevin, and Waehner—19.

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

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

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

Which was decided in the affirmative, on a division, viz.:

Affirmative—The President, Aldermen Bennett, Biglin, Carroll, Ehrhart, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Perley, Phillips, Pinckney, Sauer, Sheils, and Waehner—19.

Alderman Pinckney called up G. O. 38, being a resolution and ordinance, as follows:

Resolved, That Eighty-eighth street, between First avenue and Avenue A, be regulated and graded, the curb and gutter stones set, and the sidewalks flagged a space four feet wide through the centre thereof, 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, on a division, viz.:

Affirmative—The President, Aldermen Bennett, Biglin, Carroll, Ehrhart, Foster, Gedney, Guntzer, Hall, Jacobus, Kiernan, Lewis, Morris, Perley, Phillips, Pinckney, Sauer, Sheils, Slevin, and Waehner—20.

Alderman Sauer called up G. O. 31, being a resolution and ordinance, as follows:

Resolved, That Fifty-fourth street, from Avenue A to the East river, be regulated and graded, and that the curb and gutter stones be set, and the sidewalk flagged a space four feet wide through the centre thereof, on the north side, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was ordered on file.

#### MOTIONS AND RESOLUTIONS AGAIN RESUMED.

By Alderman Bennett—

Resolved, That out of respect to our associate, the Honorable Patrick Keenan, and of sympathy in his great bereavement, the members of this Board will attend the funeral of his only brother, James F. Keenan, which will take place from his late residence, No. 610 East Twelfth street, on Wednesday, February 27, 1878, at 10 o'clock A. M.

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

Which was decided in the affirmative.

Alderman Pinckney 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, March 5, 1878, at 2 o'clock P. M.

FRANCIS J. TWOMEY, Clerk.



## DEPARTMENT OF BUILDINGS.

DEPARTMENT OF BUILDINGS,  
OFFICE OF SUPERINTENDENT,  
No. 2 FOURTH AVENUE,  
NEW YORK, February 25, 1878.

The following comprises the operations of the Department of Buildings for the week ending February 23, 1878.

W. W. ADAMS,  
Superintendent of Buildings.  
SAMUEL T. WEBSTER,  
Chief Clerk.

BUREAU OF INSPECTION OF BUILDINGS.  
New Buildings.

No. of plans and specifications filed, etc.	10
No. of buildings embraced in same	36
Classified as follows:	
First-class dwellings	21
Second-class dwellings	10
French flats	1
Tenement houses	1
Hotels and boarding-houses	1
First-class stores	1
Second-class stores	1
Third-class stores	1
Office buildings	1
Manufactories and workshops	1
School-houses	1
Churches	1
Public buildings	1
Stables	1
Frame buildings (in upper districts)	3
Total	36

Plans passed upon, including those previously filed	13
Approved	9
Amended and approved	1
Disapproved	1
Pending	4
Total	13

## Altered Buildings.

No. of plans and specifications filed	29
No. of buildings embraced in same	32
Classified as follows:	
First-class dwellings	1
Second-class dwellings	6
French flats	1
Tenement houses	10
Hotels and boarding-houses	1
First-class stores	4
Second-class stores	1
Third-class stores	1
Office buildings	1
Manufactories and workshops	1
School-houses	1
Churches	1
Public buildings	1
Stables	1
Frame buildings	7
Total	32

Buildings examined and plans relating thereto passed upon, including those previously filed	40
Approved	23
Amended and approved	4
Disapproved	6
Pending	7
Total	40

## Special Applications.

Number filed and examinations made	12
Approved	6
Disapproved	1
Pending	6
Total	12

Respectfully submitted,  
ROBERT MCGINNIS,  
Chief of Bureau.  
JOHN J. TINDALE,  
Clerk.

## BUREAU OF VIOLATIONS AND APPLICATIONS.

Operations for the week ending Feb. 23, 1878:	
Complaints received from outside sources	4
Violations of the law reported	4
“ “ removed	2
Unsafe buildings reported	12
“ “ made safe	8
“ “ taken down	1
Surveys held on unsafe buildings	1
Violation cases sent to the Attorney for prosecution	1
Unsafe building cases sent to the Attorney for prosecution	1
Violation notices served	4
Unsafe building notices served	18

Respectfully submitted,  
ANDREW OWENS,  
Chief of Bureau.  
WILLIAM H. CLASS,  
Clerk.

## BUREAU OF FIRE-ESCAPES AND IRON WORK.

Operations for the week ending Feb. 23, 1878:	
Buildings reported for fire-escapes	17
Fire-escapes provided	24
Arch girders tested (approved)	8
“ “ (not approved)	1
Iron beams tested (approved)	4
“ “ (not approved)	1
Iron lintels tested (approved)	1
“ “ (not approved)	1

Notices for fire-escapes served..... 71  
Cases sent to the Attorney for prosecution.. ..

Respectfully submitted,  
CHAS. K. HYDE,  
Chief of Bureau.  
VICTOR W. VOORHEES,  
Clerk.

Bills Incurred.  
Feb. 19—To Wm. Gaul, for altering plans of theatres.....\$75 00

## OFFICIAL DIRECTORY.

STATEMENT OF THE HOURS DURING WHICH all the Public Offices in the City are open for business, and at which each Court regularly opens and adjourns, as well as of the places where such offices are kept and such Courts are held.

EXECUTIVE DEPARTMENT  
Mayor's Office, No. 6, City Hall, 10 A. M. to 3 P. M.  
Mayor's Marshal, No. 7, City Hall, 10 A. M. to 3 P. M.  
Permit Bureau, No. 1, City Hall, 10 A. M. to 3 P. M.  
License Bureau, No. 1, City Hall, 10 A. M. to 3 P. M.

LEGISLATIVE DEPARTMENT.  
Board of Aldermen and Supervisors, No. 9, City Hall, office hours from 10 A. M. to 4 P. M.  
Clerk of the Common Council and of Board of Supervisors, No. 8, City Hall, 10 A. M. to 4 P. M.

FINANCE DEPARTMENT.  
NEW COUNTY COURT-HOUSE, OFFICE HOURS 9 A. M. to 4 P. M.  
Comptroller's Office, second floor, rooms 19 and 20.  
1. Bureau for the collection of the revenue accruing from rents and interest on bonds and mortgages, and revenue arising from the use or sale of property belonging to or managed by the City, first floor, room 6.  
2. Bureau for the Collection of Taxes: Brown stone building, City Hall Park.  
3. Bureau for the Collection of Arrears of Taxes and Assessments and Water Rents, first floor, room 5.  
4. Auditing Bureau, second floor, west end, room 19.  
5. Bureau of Licenses, first floor, room 6.  
6. Bureau of Markets, first floor, room 6.  
7. Bureau for the reception of all moneys paid into the Treasury in the City, and for the payment of money on warrants drawn by the Comptroller and countersigned by the Mayor, at the Office of Chamberlain and County Treasurer, second floor, room 18.  
8. Bureau for the Collection of Assessments, second floor, room 16.

LAW DEPARTMENT.  
Counsel to the Corporation, Staats Zeitung Building, third floor, 9 A. M. to 5 P. M.  
Public Administrator, 115 and 117, Nassau street, 10 A. M. to 4 P. M.  
Corporation Attorney, 49 Beekman street, 8½ A. M. to 4½ P. M.  
Attorney for the Collection of Arrears of Personal Taxes, No. 51 Chambers street, second floor.  
Attorney to the Department of Buildings, 2 Fourth avenue, 9 A. M. to 5 P. M.

POLICE DEPARTMENT.  
NO. 300 MULBERRY STREET, ALWAYS OPEN.  
Commissioners' Office, second floor.  
Superintendent's Office, first floor.  
Inspectors' Office, first floor.  
Chief Clerk's Office, second floor, 8 A. M. to 5 P. M.  
Property Clerk, first floor (rear).  
Bureau of Street Cleaning, Avenue C, from Sixteenth to Seventeenth street, 8 A. M. to 5 P. M.  
Bureau of Elections, second floor (rear), 8 A. M. to 5 P. M.

DEPARTMENT OF PUBLIC WORKS.  
CITY HALL, 9 A. M. to 4 P. M.  
Commissioners' Office, No. 19.  
Chief Clerk's Office, No. 20.  
Contract Clerk's Office, No. 21.  
Engineer in charge of Sewers, No. 21.  
Bureau of Repairs and Supplies, No. 18.  
“ Lamps and Gas, No. 13.  
“ Incumbrances, No. 13.  
“ Street Improvements, No. 11.  
“ Chief Engineer Croton Aqueduct, No. 11½.  
“ Water Register, No. 10.  
“ Water Purveyor, No. 4.  
“ Streets and Roads, No. 13.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.  
Commissioners' Office, No. 66 Third avenue, 8 A. M. to 5 P. M.  
Out Door Poor Department, No. 66 Third avenue, always open, entrance on Eleventh street.  
Reception Hospital, Ninety-ninth street and Tenth avenue, always open.  
Bellevue Hospital, foot of Twenty-sixth street, East river, always open.

FIRE DEPARTMENT.  
NOS. 153, 155 AND 157 MERCER ST., 9 A. M. to 4 P. M.  
Commissioners' Office.  
Inspectors of Combustibles. Fire Marshal.

HEALTH DEPARTMENT  
NO. 301 MOTT STREET.  
Commissioners' Office, second floor, 9 A. M. to 4 P. M.  
Attorney's Office, third floor, 9 A. M. to 4 P. M.  
Sanitary Superintendent, always open, third floor.  
Register of Records, third floor, for granting burial permits, on all days of the week, except Sunday, from 7 A. M. to 6 P. M., and on Sundays, from 8 A. M. to 5 P. M.

DEPARTMENT OF PUBLIC PARKS.  
Commissioners' Office, 36 Union Square, 9 A. M. to 5 P. M.  
Surveyor's Bureau, 19 Chatham street, 9 A. M. to 4 P. M.  
Board of Assessors.

DEPARTMENT OF DOCKS.  
Commissioners' Office, 117 and 119 Duane street, 9 A. M. to 4 P. M.

DEPARTMENT OF TAXES AND ASSESSMENTS  
Commissioners' Office, Brown-stone building, City Hall Park, 9 A. M. to 4 P. M. On Saturday, 9 A. M. to 3 P. M.

DEPARTMENT OF BUILDINGS.  
Superintendent's Office, 2 Fourth avenue, 9 A. M.

BOARD OF EXCISE.  
Commissioners' Office, first floor, 299 Mulberry street, A. M. to 4 P. M.

BOARD OF EDUCATION.  
CORNER GRAND AND ELM STREETS  
Office of the Board, 9 A. M. to 5 P. M.  
Superintendent of Schools, 9 A. M. to 5 P. M.

COMMISSIONERS OF ACCOUNTS.  
Commissioners' Office, 27 Chambers street, second floor, out office.

## THE CITY RECORD.

COPIES OF THE CITY RECORD CAN BE obtained at No. 2 City Hall (northwest corner basement). Price three cents each.

## JURORS.

NOTICE  
IN RELATION TO JURORS FOR  
STATE COURTS

OFFICE OF THE COMMISSIONER OF JURORS,  
NEW COUNTY COURT-HOUSE,  
NEW YORK, June 1, 1877.

APPLICATIONS FOR EXEMPTIONS WILL BE heard here, from 9 to 4 daily, from all persons hitherto liable or recently serving who have become exempt, and all needed information will be given.

Those who have not answered as to their liability, or proved permanent exemption, will receive a "jury enrollment notice," requiring them to appear before me this year. Whether liable or not, such notices must be answered (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, received from those who, for business or other reasons, are unable to serve at the time selected, pay the expenses of this office, and it 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 misdemeanor 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 relation to a jury service, or to withhold any paper or make any false statement, and every case will be fully prosecuted.

THOMAS DUNLAP, Commissioner,  
County Court-house (Chambers street entrance)

## DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, February 23, 1878.

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

At Work-house, Blackwell's Island—Mary Thompson; aged 50 years. Committed January 16, 1878. Nothing known of her friends or relatives.  
At New York City Asylum for the Insane, Ward's Island—Edward Fay; aged 41 years; 5 feet 9 inches high; blue eyes; red hair. Admitted December 15, 1871. Nothing known of his friends or relatives.

By Order,  
JOSHUA PHILLIPS,  
Secretary.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, February 25, 1878.

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

At Charity Hospital, Blackwell's Island—David Falk; aged 43 years; 5 feet 8 inches high; light hair; gray eyes. Had on when admitted, black coat, brown pants, blue vest, cloth slippers, white shirt, black felt hat. Nothing known of his friends or relatives.

By Order,  
JOSHUA PHILLIPS,  
Secretary.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, February 19, 1878.

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

At Charity Hospital, Blackwell's Island—Louis Offroy; aged 35 years; 5 feet 10 inches high; dark hair; gray eyes. Had on when admitted, blue coat and vest, gray pants, white shirt, gaiters. Nothing known of his friends or relatives.

At Hart's Island Hospital—Elizabeth Schepp; aged 70 years; 5 feet 6 inches high; blue eyes; gray hair. Had on when admitted, gray shawl, lilac dress, white skirt. Nothing known of her friends or relatives.

By Order,  
JOSHUA PHILLIPS,  
Secretary.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, February 21, 1878.

## PROPOSALS FOR 2,000 TONS WHITE ASH STOVE COAL FOR THE OUT-DOOR POOR.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M. of Friday, March 8, 1878, at which time they will be publicly opened and read by the head of said Department, for furnishing and delivering 2,000 tons White Ash Stove Coal (each ton to consist of 2,240 pounds) in such quantities and in such parts of the city as the Commissioners may direct.

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

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

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

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

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

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, February 21, 1878.

## PROPOSALS FOR 3,000 BARRELS OF FLOUR.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M. of Friday, March 8, 1878, at which time they will be publicly opened and read by the head of said Department, for furnishing and delivering at the Bake-house, Blackwell's Island, free of all expense to the Department—

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

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

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

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

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

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

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, February 21, 1878.

## PROPOSALS FOR GROCERIES, HAY, ETC.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M. of Friday, March 8, 1878, at which time they will be publicly opened and read by the head of said Department, for furnishing and delivering at the foot of East Twenty-sixth street, free of all expense to the Department—

5,000 lbs. good sweet Dairy Table Butter; to be delivered in quantities as required.  
1,000 bbls. good sound Irish Potatoes, to weigh 168 lbs. to the barrel, net; to be delivered at Store-house dock, Blackwell's Island.

100 bbls. Onions.  
100 bales Best Timothy Hay; to be delivered in quantities as required.

250 doz. Men's Straw Hats.  
100 boxes best quality I. C., 14 x 20 Charcoal Roofing Tin.

6 doz. Wash Boards.  
100 Pick Handles.  
100 Sledge Handles.  
100 Striking Hammer Handles.  
100 Hand Hammer Handles.

5 bbls. Raw Linseed Oil.  
5 bbls. Boiled Linseed Oil.  
3 bbls. Spirits Turpentine.

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

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

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

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

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

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

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, February 21, 1878.

## PROPOSALS FOR CARTING AND HOIST- 2,000 TONS OF WHITE ASH STOVE COAL FOR THE OUT-DOOR POOR.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M. of Friday, March 8, 1878, at which time they will be publicly opened and read by the head of said Department, for carting and hoisting and delivering 2,000 tons White Ash Coal (each ton to consist of 2,240 pounds) in such quantities and in such parts of the city as the Commissioners may direct.

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

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

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

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

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



## SUPREME COURT.

In the matter of the application of the Department of Public Works for and in behalf of the Mayor, Aldermen, and Commonality of the City of New York, relative to the opening of One Hundred and Twenty-seventh street from the northeasterly line of Lawrence street, parallel with One Hundred and Twenty-sixth street, to the westerly side of a certain road or avenue in the City of New York, closed by act of the Legislature, chapter 290, section 10, passed April 5, 1871; as said One Hundred and Twenty-seventh street appears upon a map made by the Commissioners of the Central Park and filed in the office of the Register of the City and County of New York, on October 23, 1867.

**WE, THE UNDERSIGNED COMMISSIONERS** of Estimate and Assessment in the above-entitled matter, hereby give notice to the owner or owners, occupant or occupants, of all houses and lots and improved or unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate and assessment, and that all persons interested in these proceedings, or in any of the lands affected thereby, and who may be opposed to the same, do present their objections in writing, duly verified, to Elliot F. Shepard, Esq., our Chairman, at the office of the Commissioners, No. 154 Nassau street (Room No. 22), in the said city, on or before the thirtieth day of March, 1878, and that we, the said Commissioners, will hear parties so objecting within ten week-days next after the said thirtieth day of March, 1878, and for that purpose will be in attendance at our said office on each of said ten days, at 3 o'clock in the afternoon.

Second—That the abstract of the said estimate and assessment, together with our maps, and also all the affidavits, estimates, and other documents which were used by us in making our report, have been deposited in the office of the Department of Public Works, in the City of New York, there to remain until the fourth day of April, 1878.

Third—That the limits embraced by the assessment aforesaid are as follow, to wit: All those lots, pieces, or parcels of land situate, lying, and being in the City of New York, and bounded and described as follows: Beginning at a point formed by the intersection of the northerly line of One Hundred and Twenty-seventh street with the northeasterly line of Lawrence street, running thence northerly and at right angles to said One Hundred and Twenty-seventh street 100 feet; thence easterly and parallel with One Hundred and Twenty-seventh street 619 feet and 8 1/2 inches to what was formerly the easterly line of a certain new avenue closed by an act of the Legislature, passed April 5th, 1871 (Laws of 1871, chapter 290); thence in a southerly direction 281 feet and 7 inches to a point; thence westerly and parallel to One Hundred and Twenty-seventh street 408 feet and 10 inches to the northeasterly line of Lawrence street; thence northwesterly along the northeasterly line of Lawrence street 217 feet and 6 inches, be the same more or less, to the corner formed by the intersection of the northeasterly line of Lawrence street with the southerly line of One Hundred and Twenty-seventh street; thence easterly along the southerly line of One Hundred and Twenty-seventh street 492 feet and 3/4 of an inch to the westerly line of said new avenue closed by an act of the Legislature, passed April 5, 1871, as aforesaid; thence northerly along the westerly line of said new avenue, closed as aforesaid, 63 feet and 8 1/2 inches to the northerly line of One Hundred and Twenty-seventh street; thence westerly along the northerly line of One Hundred and Twenty-seventh street 585 feet and 7 3/4 inches to the point or place of beginning.

Also all those other certain lots, pieces or parcels of land bounded and described as follows: Beginning at a point on the southwesterly side of Lawrence street, distant 206 feet and 3 inches from a point formed by the intersection of the northwesterly line of Lawrence street with the easterly side of the Tenth avenue, running thence northwesterly along the southwesterly line of Lawrence street, 185 feet 3 inches to a point; thence westerly and parallel to One Hundred and Twenty-seventh street, 164 feet and 4 inches to a point; thence northerly and at right angles to said One Hundred and Twenty-seventh street, 85 feet and 4 inches to the point or place of beginning.

Fourth—That our report herein will be presented to the Supreme Court of the State of New York, at a Special Term thereof, to be held in the New Court-house, at the City Hall, in the City of New York, on the twelfth day of April, 1878, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, February 10, 1878.

ELLIOT F. SHEPARD,  
NEVIN W. BUTLER,  
LOUIS MESIER,  
Commissioners.

## HEALTH DEPARTMENT.

HEALTH DEPARTMENT, No. 301 MOTT STREET,  
NEW YORK, February 8, 1878.

**AT A MEETING OF THE BOARD OF HEALTH** of the Health Department of the City of New York, held at its office on the 8th day of February, 1878, the following resolution was adopted:

Resolved, That the following sections of the Sanitary Code be and are hereby annulled:

Section 33. That no person shall, in the built-up portion of the City of New York, or adjacent thereto, sell or have for sale any fish or from any vehicle, or in any street or public place, from which all parts which are not usually cooked for food have not been removed.

Section 62. That no person shall become, or continue, or engage as, or in the business of a butcher, at or in any public or private market or stand in the City of New York, without a permit therefor from this Department.

Section 66. That no person engaged in the selling or keeping for sale of any fish, meat, birds, fowl, fruit, or vegetables, shall, without a permit from this Department occupy or encroach upon any portion of any street or sidewalk, or public place in the City of New York.

And Section 168 amended so as to read as follows:

Section 168. That every car used for the transportation of passengers in the City of New York, shall be so constructed as at all times to provide and secure good ventilation.

[L. S.] CHARLES F. CHANDLER,  
President.

EMMONS CLARK, Secretary.

## FINANCE DEPARTMENT.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
No. 16 NEW COURT-HOUSE, CITY HALL PARK,  
NEW YORK, January 7, 1878.

## NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED AND ENTERED DECEMBER 31, 1877  
96th street, sewer, between 8th and 10th avenues.  
44th street, regulating, grading, etc., from 1st to 3d avenue.

3d avenue, regulating and paving, from Westchester avenue to 163d street.

3d avenue, regulating and paving, from 163d street to northern boundary 2d Ward.

All payments made on the above assessments on or before March 8, 1878, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

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

EDWARD GILON,  
Collector of Assessments.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
No. 16 NEW COURT-HOUSE, CITY HALL PARK,  
NEW YORK, February 14, 1878.

## NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED FEBRUARY 7, 1878; ENTERED FEBRUARY 8, 1878  
Avenue A, paving from 86th to 93d street.

All payments made on the above assessment on or before April 15, 1878, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of entry.

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

EDWARD GILON,  
Collector of Assessments

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
No. 16 NEW COURT-HOUSE, CITY HALL PARK,  
NEW YORK, January 17, 1878.

## NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED AND ENTERED DECEMBER 15, 1877.  
Fourth avenue crosswalks, south side of Seventy-fifth street.

Fourth avenue crosswalks, south side of Eighty-first street.

All payments made on the above assessments on or before March 18, 1878, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

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

EDWARD GILON,  
Collector of Assessments.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
No. 16 NEW COURT-HOUSE, CITY HALL PARK,  
NEW YORK, January 24, 1878.

## NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED AND ENTERED JANUARY 17, 1878.  
131st street, regulating, grading, etc., from 6th to 8th avenue.

Boston avenue (23d Ward), grading, etc., from 3d avenue to 16th street.

112th street, paving, from 3d avenue to Harlem river.

118th street, paving, from 3d avenue to Harlem river.

119th street, paving, from Avenue A to Harlem river.

50th street, fencing north side, between Lexington and 4th avenues.

Eastern Boulevard (Avenue B), regulating, grading, etc., from 79th to 86th street.

All payments made on the above assessments on or before March 25, 1878, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

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

EDWARD GILON,  
Collector of Assessments.

## WILLIAM KENNELLY, AUCTIONEER.

## SALE OF FERRY FRANCHISES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

By order of the Commissioners of the Sinking Fund.

JOHN KELLY,  
Comptroller;

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

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

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

JOHN KELLY,  
Comptroller.

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

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

JOHN KELLY,  
Comptroller.

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

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

JOHN KELLY,  
Comptroller.

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

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

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, November 22, 1877.

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

JOHN KELLY,  
Comptroller.

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

The above sale is adjourned to Thursday, January 10, 1878, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, December 27, 1877.

The above sale is adjourned to Thursday, January 17, 1878, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, January 10, 1878.

The above sale is adjourned to Thursday, January 31, 1878, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, January 17, 1878.

The above sale is adjourned to Thursday, February 14, 1878, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, January 31, 1878.

The above sale is adjourned to Thursday, February 28, 1878, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, February 14, 1878.

## WILLIAM KENNELLY, AUCTIONEER.

## SALE OF FERRY FRANCHISE.

## PURSUANT TO ADJOURNMENT.

**THE FRANCHISE TO RUN THE FOLLOWING** ferry and a lease of the wharf property belonging to the city, set apart for ferry purposes at said ferry, will be sold at public auction to the highest bidder, at the office of the Comptroller of the City of New York, on Thursday, October 25, 1877, at 12 o'clock, noon, for the period of five years from November 1, 1877, namely:

Ferry from Ninety-second street, East river, to Astoria, Queens County, Long Island.

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

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

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

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

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

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

The minimum price for which the lease of said wharf property connected with the ferry from Ninety-second street, East river, to Astoria, Long Island, will be sold, has been fixed by the Board of the Department of Docks at the following sum, namely:

For bulkhead at foot of Ninety-second street, East river, and for premises at foot of Fulton street, Astoria, as now occupied for ferry purposes, at \$250 per annum.

The premises connected with the said ferry, to be taken in the condition in which they were in on the 1st day of August, 1877, and all repairs and rebuilding thereof, and dredging at said ferry during the term leased, to be done at the expense and cost of the lessees.

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

the bid be finally rejected, will be returned to the bidder.

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

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

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

By order of the Commissioners of the Sinking Fund.

Dated New York, October 20, 1877.

JOHN KELLY,  
Comptroller.

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

The above sale is adjourned to Thursday, November 8, 1877, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, October 25, 1877.

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

JOHN KELLY,  
Comptroller.

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

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

JOHN KELLY,  
Comptroller.

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

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

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, November 22, 1877.

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

JOHN KELLY,  
Comptroller.

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

The above sale is adjourned to Thursday, January 10, 1878, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, December 27, 1877.

The above sale is adjourned to Thursday, January 17, 1878, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, January 10, 1878.

The above sale is adjourned to Thursday, January 31, 1878, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, January 17, 1878.

The above sale is adjourned to Thursday, February 14, 1878, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, January 31, 1878.

The above sale is adjourned to Thursday, February 28, 1878, at 12 o'clock, noon, at the same place.

JOHN KELLY,  
Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, February 14, 1878.

## REAL ESTATE RECORDS

**THE ATTENTION OF LAWYERS, REAL** Estate Owners, Monetary Institutions engaged in making loans upon real estate, and all who are interested in providing themselves with facilities for reducing the cost of examinations and searches, is invited to these Official Indices of Records, containing all recorded transfers of real estate in the City of New York from 1