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LEGISLATIVE DEPARTMENT.

STATED SESSION.

BOARD OF

ASSISTANT ALDERMEN.

No. 16 CITY HALL, Monday, November 13, 1873, 1½ o'clock P. M.

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

Present—WILLIAM WADE, Esq., President, in the chair, and the following members:

Charles M. Clancy, John C. Keating, Henry Wisser, Michael Healy, Thomas L. Thornell, John Theiss, George F. Codington, Joseph P. Strack,

William S. Kreps, John J. Kehoe, Edward Brucks, Stephen N. Simonson, Philip Cumisky. Henry A. Linden, Isaac Sommers, Benjamin Beyea.

Minutes of last meeting were read and approved.

MOTIONS AND RESOLUTIONS.

MOTIONS AND RESOLUTIONS.

By Assistant Alderman Clancy—
Whereas, By reason of the panic now existing in the financial corporations of our City, many of the factories employing thousands of workmen are wholly or in part suspended, and the public works of the different departments of our municipal government are compelled, from exhaustion of funds appropriated, to discontinue, and whereas, unless some speedy resumption of employment occurs, either on the part of private parties, or our departments, a deplorable and heartrending state of affairs will exist among our poorer classes; therefore be it

Resolved, That the Board of Apportionment be, and they are hereby requested to convene at as early as day as possible, and appropriate a sufficient amount of money to carry on the various improvements during the coming winter which are now unfinished in the Department of Public Works and the Department of Public Works and the Department of Public Works and the Department of Pocks, under the resolution of the Commissioners of the Sinking Fund, the balance of the appropriation made in accordance with the provisions of law.

Resolved, That the heads of departments immediately send in estimates and requisitions to

Resolved, That the heads of departments immediately send in estimates and requisitions to continue their unfinished work.

which was adopted by the following vote:
Affirmative—Assistant Aldermen Clancy, Keating, Wisser, Healy, Thornell, Theiss, Codington Strack, Kreps, the President, Kehoe, Brucks, Simonson, Cumisky, Linden, Sommers, Beyea—

Assistant Alderman Claney moved that the Clerk be instructed to send a copy of the preamble and resolution to His Honor the Mayor, and to the Comptroller after the adjournment of

the Board. Which was carried.

G. O. 233. By Assistant Alderman Keating—
Resolved, That One hundred and Thirty-first street, from Tenth avenue to Boulevard, be regulated and graded so as to conform to the grade of Tenth avenue and Boulevard, the curb and gutter stones set and the sidewalks flagged where not already done, under the direction of the not already done, under the direction of the Commissioner of Public Works and that the ac-companying ordinance therefor be adopted. Which was laid over.

By Assistant Alderman Healy-Whereas. The Whereas, The appropriation made by the Board of Apportionment for the completion of the different improvements now being made under the supervision of the Commissioner of Public World in the Commissioner of Pub lic Works is nearly exhausted, and, whereas it is highly necessary that employment should be given to the laboring class of men to enable them to live through the winter months; be it there-

Resolved, That the Board of Apportionment be and they are hereby respectfully requested, to appropriate the sum of two hundred and fifty thousand dollars for the completion of the different public improvements that are under the supervision and direction of the Commissioner of

Which was laid on the table.

By Assistant Alderman Simonson—
Resolved, That the Special Committee appointed November 3d, to which was referred the resolution authorizing a loan of \$2,500,000 on the part of the city to the Industrial Exhibition Company, be and the same is hereby directed and empowered to send for persons and papers in all matters pertaining to the said Industrial Exhibition Company, with the usual powers.

Assistant Alderman Simonson moved that the resolution be adopted. Which was lost by the following vote:

Affirmative — Assistant Aldermen Wisser,

following vote:
Affirmative — Assistant Aldermen Wisser,
Thornell, Codington, Strack, Kreps, the President, Simonson, Linden—8.
Negative—Assistant Aldermen Clancy, Keating, Healy, Theiss, Kehoe, Brucks, Cumisky,
Sommers, Beyea—9.

G. O. 234.

By Assistant Alderman Beyea—
Resolved, That the sidewalk on the south side of One Hundred and Twenty-fifth street, between First and Second avenue, from 312 to 326, be flagged full width, were not already done, under the direction of the Commissioner of Public Works, and that the accompanying ordinance therefore be adopted.

Which was laid over.

By the same—
Resolved, That permission be and the same is hereby given to Gregory and Smith to place two ornamental lamp post and lamps in front of premises No. 927 Broadway, the lamp post and lamps not to exceed in size of the ordinary street lamps and lamp posts; the gas to be supplied from their own private meter, and the work to be done under the direction of the Commissioner of Public Works, and such permission missioner of Public Works, and such permission to remain only during the pleasure of the Common Council.

Which was referred to the Committee on Lamps and Gas.

REPORTS.

G. O. 235.

The Committee on Lamps and Gas of the Board of Assistant Aldermen, to whom was referred the annexed resolution and ordinance in favor of laying gas mains, &c., in One Hundred and Thirty-first street, from Fourth to Fifth avenues, and One Hundred and Eleventh, One Hundred and Twelfth and One Hundred and Thirty-first streets from First avenue to Healer Thirteenth streets, from First avenue to Harlem River, respectfully

REPORT:

That having carefully examined the subject, they are in favor of the proposed improvement, believing the work to be necessary, and no objection having been made thereto. Accordingly, your Committee recommend that said resolution and ordinance be adopted.

Resolved, That gas mains be laid, and street lamps lighted, in One hundred and Thirty-first street, from Fourth to Fifth avenue, and One hundred and Eleventh, One hundred and Twelfth and One hundred and Thirteenth streets, from First avenue to Harlem River, by the Harlem Gas Company, under the direction of the Commissioner of Public Works.

WM. S. KREPS,
Committee on Lamps and Gas.
Which was laid over.

Which was laid over.

G. O. 236.

The Committee on Lamps and Gas of the Board of Assistant Aldermen, to whom was referred the annexed resolution in favor of placing gas lamps in Garden Row, respectfully

REPORT:

That having carefully examined the subject, they are in favor of the proposed improvement, believing the work to be necessary, and no objection having been made thereto. Accordingly, your Committee recommend that said resolution be adopted.

Resolved, That a public gas lamp be placed and the same lighted at the westerly end of Garden Row, being in West Eleventh street, near sixth avenue, the same to be done under the direction of the Commissioner of Public Works.

WM. S. KREPS,
Committee on Lamps and Gas.

Which was laid over.

Which was laid over.

The Committee on Streets of the Board of Assistant Aldermen, to whom was referred the annexed resolution from the Board of Aldermen, in favor of permitting Thaddeus Hyatt to flag sidewalk in front of the premises No. 25 Waverly Place, respectfully

REPORT : That, having carefully examined the subject, they believe the proposed improvement to be proper. They are, therefore, in favor of concurring with the Board of Aldermen in adopting said resolution, and accordingly respectfully recommend that such action be had thereon by this Board.

this Board.

Resolved, That permission be and the same is hereby granted to Thaddeus Hyatt, to flag the sidewalk in front of the premises No. 25 Waverly Place, on both the Greene street and Waverly Place sides, with his patent fire-proof Burnetized Wood side Walk.

Explanation.—This sidewalk of Mr. Hyatt is made of spruce timber, 8 inches thick, rendered fire-proof and proof against decay by being placed in an exhausted receiver, and then having the pores filled with a solution of chloride of

zinc, under a pressure forced into it of 150 deg. to the square inch. The timbers are bolted together in sections of 6 feet wide. This sidewalk does not split and disintegrate under the action of fire, as is the case with granite.

BENJAMIN BEYEA,
HENRY A. LINDEN,
Committee on Streets.

Committee on Streets.

Assistant Alderman Strack moved that the resolution lay upon the table, which was lost.

Assistant Alderman Kehoe moved that the

ame be laid over, which was carried.

Assistant Alderman Healy moved that the vote just taken be reconsidered, which was carried.

Assistant Alderman Healy moved that this
Board concur in the action of the Board of Al-

Which was decided in the affirmative by the

Affirmative—Assistant Aldermen Keating, Healy, Thornell, Theiss, Codington, Strack, Kreps, the President, Kehoe, Simonson, Cu-

Kreps, the President, Kehoe, Simonson, Cumisky, Beyea—12.
Negative—assistant Aldermen Clancy, Brucks, Linden, Sommers—4.
Assistant Alderman Clancy moved to recon-

Assistant Claricy moved to reconsider the vote just taken.

Which was lost by the following vote:

Affirmative—Assistant Aldermen Clancy, Wisser, Theiss, Kehoe, Brucks, Linden, Sommers—

Negative—Assistant Aldermen Keating, Healy, Thornell, Codington, Strack, Kreps, the President, Simonson, Cumisky, Beyea—10.

G. O. 237.

The Committee on Streets of the Board of Assistant Aldermen, to whom was referred the annexed resolution and ordinance from the Board of Aldermen, in favor of curb, guttering and flagging full width both sides of One Hundred and thirty-first street, from Fourth to Fifth avenues, respectfully

REPORT :

That, having carefully examined the subject, they believe the proposed improvement to be necessary and proper. They are, therefore, in favor of concurring with the Board of Aldermen in adopting said resolution and ordinance, and accordingly respectfully recommend that such action be had thereon by this Board.

Resolved, That on both sides of One Hundred and Thirty-first street, from Fourth to Fifth avenues, curb and gutter stones be set, and the sidewalks 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.

BENJAMIN BEYEA.

BENJAMIN BEYEA, HENRY A. LINDEN, Committee on Streets.

Which was laid over.

G. O. 238.

The Committee on Streets of the Board of Assistant Aldermen, to whom was referred the annexed resolution and ordinance from the Board of Aldermen, in favor of regulating, grading, &c., Ninety-fifth street, from First to Fifth avenue, respectfully

That having carefully examined the subject, they believe the proposed improvement to be necessary and proper. They are, therefore, in favor of concurring with the Board of Aldermen in adopting said resolution and ordinance, and accordingly recommend that such action be had thereon by

this Board.

Resolved, That Ninety-fifth street, from First to Fifth avenues, be regulated and graded, the curb and gutter stones set, and the sidewalks flagged where not already done, under the direction of the Commissioner of Public Works, and that the accompanying ordinance therefor be depeted.

BENJAMIN BEYEA, HENRY A. LINDEN, Committee on Streets.

Which was laid over.

G. O. 239.

The Committee on Streets of the Board of Assistant Aldermen, to whom was referred the annexed resolution and ordinance from the Board of Aldermen, in favor of regulating, grading, &c., Avenue A, from One hundred and Sixth to One hundred and Sixteenth streets, respectfully recommend that such action be had thereon by this Board.

Resolved, That Ninety-seventh street, from First to Fifth avenue, be regulated and graded, the curb and gutter stones set, and the sidewalks flowed where the curb and gutter stones set, and the sidewalks fully

That, having carefully examined the subject, they believe the proposed improvement to be necessary and proper. They are, therefore, in favor of concurring with the Board of Aldermen in adopting said resolution and ordinance, and accordingly respectfully recommend that such action be had thereon by this Board.

action be had thereon by this Board.

Resolved, That Avenue A, from One Hundred and Sixth to One Hundred and Sixteenth street, be regulated and graded, the curb and gutter stones set, and the sidewalks flagged, where not already done, under the direction of the Commissioner of Public Works, and that the accompanying ordinance therefor be adopted.

BENIAMIN REVEA.

BENJAMIN BEYEA,
HENRY A. LINDEN,
Committee on Streets.

Which was laid over.

G. O. 240.

The Committee on Streets of the Board of Assistant Aldermen, to whom was referred the annexed resolution and ordinance from the Board of Aldermen, in favor of regulating, grading, &c., Ninety-fourth street, from First to Third avenues, respectfully. avenues, respectfully

That, having carefully examined the subject, they believe the proposed improvement to be necessary and proper. They are, therefore, in favor of concurring with the Board of Aldermen in adopting said resolution and ordinance, and accordingly respectfully recommend that such action be had thereon by this Board.

Resolved, That Ninety-fourth street, from First to Third avenues, be regulated and graded, the curb and gutter stones set, and the sidewalks flagged where not already done, under the direction of the Commissioner of Public Works, and that the accommanying ordinance therefor

and that the accompanying ordinance therefor be adopted.

BENJAMIN BEYEA, HENRY A. LINDEN, Committee on Streets.

Which was laid over.

G. G. 241.

The Committee on Streets of the Board of Assistant Aldermen, to whom was reported the annexed resolution and ordinance in favor of regulating, grading, &c., One Hundred and Forty-second street, from Bloomingdale road to the Grand Boulevard, respectfully

REPORT:

That, having carefully examined the subject, they are in favor of the proposed improvement, believing the work to be necessary, and no objection having been made thereto. Accordingly, your Committee recommend that said resolution

your Committee recommend that said resolution and ordinance be adopted.

Resolved, That One Hundred and Forty-second street, from Bloomingdale to Grand Boulevard, be regulated and graded, the curb and gutter stones set, and the sidewalks flagged where not already done, under the direction of the Commissioner of Public Works, and that the accompanying ordinance therefor be adopted.

BENJAMIN BEYEA,

HENRY A. LINDEN.

HENRY A. LINDEN, Committee on Streets.

Which was laid over.

G. O. 242.

The Committee on Streets of the Board of Assistant Aldermen, to whom was referred the an-nexed resolution and ordinance from the Board of Aldermen, in favor of regulating, grading, &c., Seventieth street, between Third avenue and East river, respectfully

REPORT:

That, having carefully examined the subject, they believe the proposed improvement to be necessary and proper. They, are, therefore, in favor of concurring with the Board of Aldermen in adopting said resolution and ordinance, and accordingly respectfully recommend that such action be had thereon by this Board.

Resolved, That Seventieth street, between Third avenue and the East river, be regulated and graded, the curb and gutter stones set, and the sidewalks flagged where not already done, under the direction of the Commissioner of Public Works, and that the accompanying ordinance

lic Works, and that the accompanying ordinance therefor be adopted.

BENJAMIN BEYEA. HENRY A. LINDEN, Committee on Streets.

Which was laid over. G. O. 243.

The Committee on Streets of the Board of Assistant Aldermen, to whom was referred the annexed resolution and ordinance from the Board

annexed resolution and ordinance from the Board of Aldermen, in favor of regulating, grading, &c., Ninety-seventh street from First to Fifth avenue, respectfully

REPORT:

That, having carefully examined the subject, they believe the proposed improvement to be necessary and proper. They are, therefore, in favor of concurring with the Board of Aldermen in adopting said resolution, and ordinance, and

flagged where not already done, under the direc-tion of the Commissioner of Public Works, and that the accompanying ordinance therefor

BENJAMIN BEYEA, HENRY A. LINDEN, Committee on Streets.

Which was laid over. COMMUNICATIONS.

Being a communication as follows:

NEW YORK, November 13th, 1873. To the Honorable the Board of Assistant Alder-

GENTLEMEN:—The Workingmens' Central Council, respectfully invite your Honorable Body to occupy seats on the platform at the mass meeting in Tammany Hall, on Saturday evening, November 15th, at 7 o'clock. The object of this meeting is, to furnish work for the unem-

I remain respectfully yours,

JAMES CONNOLLY,

Chairman Committee of Arrangements.

Which was received and ordered on file.

Assistant Alderman Strack moved that we do now adjourn. Which was lost.

Which was lost.
Assistant Alderman Clancy moved that the clerk be requested to withhold the resolution giving permission to Thaddeus Hyatt to lay sidewalk at 25 Waverly Place.
Which was decided in the affirmative by the

following vote:
Affirmative—Assistant Aldermen Clancy, Wis

ser, Theiss, Strack, Kreps, Kehoe, Cumisky, Linden, Sommers, Beyea—10.
Negative — Assistant Aldermen
Healy, Thornell, Codington, the President,

Healy, Thornell, Counge.

Brucks, Simonson—7.

Assistant Alderman Strack moved that this Assistant Alderman in Strack moved that the Assistant Alderman in Strack moved the Assistant Alderman in Strack moved the Assistant Movement in Strack move

Which was carried.

And the President announced that the Board stood adjourned until Monday next, the 17th instant, at 2 o'clock P. M.

CONSTANTINE DONOHO,

LAW DEPARTMENT.

OPINIONS OF THE COUNSEL TO THE COR-PORATION.

The Police Board, convened to try members of the force upon charges preferred to procure their removal and degradation for official malfeasance, sits as a judicial tribunal.

The proceedings must be "according to law;" and the Supreme Court, upon a writ of certiorari, may inquire into their legality

The established rules of evidence as applied in the criminal courts of the country, must be substantially adhered to in trials of this character; although it ems, that here, as in a court martial, testimony may be taken in a form less technical than that prevailing in ordinary tribunals.

An unpardoned convict, having served in this State a term of imprisonment for an infamous crime, repaired to Europe, committed forgeries on the Bank of England, and escaped to this country, where he was arrested and returned under the treaty of extradition, and subsequently, while lying in London under sentence to penal servitude, made in writing an ex parte unsworn statement, acknowledged in the form used to procure the recording of deeds, in which two members of the Police Force in New York, who had participated in the arrest of the culprit on his arrival in New York, were charged with malfeasance. HELD, that the statement could not be received in evidence on a trial by the Board of the inculpated officers.

It is not competent to produce in evidence a docu which has been read to and in the presence of accused parties in order to prove as admissions their state-

ments or their silence when the reading took place. The Board of Police Commissioners, sitting in the trial of accused officers, may require the opinion of the Counsel to the Corporation upon a question of law or evidence arising in the case.

LAW DEPARTMENT,

OFFICE OF THE COUNSEL TO THE CORPORATION, NEW YORK, November 6, 1873.

The Honorable the Board of Police Commissioners of the City of New York,

GENTLEMEN:-Under the laws of the state of New York, the Counsel to the Corporation of this city is made the legal adviser of your honorable body. It is therefore proper that I should advise you upon any question of law which in your discretion you may deem proper to submit to my consideration. And when you sit as a tribunal for the trial of accused members of the police force, my advice may be sought under the official relation which exists between us; or I may be called on, in some sort, as amicus curia.

You inform me that you are now engaged in the trial of James Irving and Philip Farley, two officers of the Police Department of this city, upon charges preferred by the counsel in this city of the Bank of England. A stenographic report of the proceedings so far taken by you in the case has been laid before me, and I have carefully examined it.

for some of which he was tried, convicted, sentenced and imprisoned at Sing Sing, repaired to Europe, and there committed extensive forgeries upon the Bank of England, for which he was condemned in a court of that country, and sentenced to penal servitude. After the perpetration of the crime last mentioned, he escaped to this country, where he was arrested, and returned to England under the treaty of extradition. In the proceedings here to arrest and detain the prisoner. Irving and Farley in their official capacity participated.

After his trial, conviction, and sentence in England, Macdonnell made a statement to the effect, in substance, that after his escape and arrival in this country, and before he left the ship in the harbor of New York, he gave to Irving and Farley a portion of the proceeds of his forgeries

ployed, hoping to have your presence on that upon the Bank of England, upon a corrupt understanding that they should use the same to screen him from the consequences of his crime, and that they, after performing some services in his behalf, added to their official turpitude the crime of appropriating to their own use the greater part of the property which he had delivered to them. This statement was committed to writing and signed by the prisoner in the presence of a reputable witness, who has testified in the pending proceeding before your Board.

An inspection of this document would seem to show that it was acknowledged by the prisoner in the form usually adopted where it is desired to place on record deeds for the conveyance of real property; but it does not appear upon the face of the paper itself, nor in the testimony, that the statement was sworn to. It is manifest that at the taking of this statement no person was present on behalf of the accused officers; and of course the prisoner was not cross-examined on their behalf.

The eminent counsel for the Bank of England present this paper in evidence, and offer to corroborate it, in some particulars, by other testimony. Giving the matter the deliberation to which the gravity of the accusation entitles it, you have adjourned the proceedings in order to consider the question of the admissibility of the paper, and have requested me to give you my judgment upon the point.

It may perhaps be that I do injustice to the distinguished counsel in stating that in offering this paper at all they intend to claim for it the character of evidence. Indeed, there are expressions and intimations in their reported remarks from which I may fairly infer that the paper is not offered as matter of revidence, but only as a convenient mode of presenting their case. Statements of this character are often given by counsel in substance, though rarely in the very words, as a part of the opening address preceding the examination of witnesses; but it is safe to say that in modern times no Court in England or the United States, either civil or military, has permitted such a statement from a criminal so situated to be used as evidence on the trial of any

The system of deputing competent members of a police force to act in the detection of crime and the discovery of criminals is one which prevails in every large city, both here and in Europe. Its benefits are obtained at the cost of great and acknowledged evils. Whether it should be continued is a question for Legislatures and not for Boards of Police. It is plain, however, that while its evils will be continued, its advantages will be substantially diminished if convicted criminals are to be facilitated by any extraordinary rulings in the projects of revenge which they often institute against the officers who have pursued them. No punishment can exceed the crime of a faithless or treacherous policeman. At the same time, it is impossible to over-estimate the importance of protecting honest officers from the machinations of those whose enmity they have earned by the fearless performance of duty. The investigation in which you are engaged will determine whether these two accused officers are to be vindicated from malicious charges or are to be removed and degraded upon established guilt. Your only safe and legal course is to adhere (if not technically, substantially) to those established rules of evidence which the most eminent writers upon law have declared to be the best means not only of protecting the innocent, but also of eliciting truth against the guilty.

It must be borne in mind that you are acting in a judicial capacity. Your proceedings are subject to review upon a writ of certiorari by the Supreme Court of the State. And upon the It appears that one Macdonnell, after com-highest judicial authority you are bound to pro-titting in this country various infamous crimes, an investigation which must end in either taining or degrading an officer of the force. (See the opinion of Mr. Chief Justice Henry E. Davies. in the case of McDermott against the Board of Police, Supreme Court, First District, December, 1857, Fifth Abbott's Reports, page 422.) The Court of Appeals of Kentucky many years ago declared, "The power of removal is a iudicial power." (Graham v. Sackett, 6 B. Monroe, page 146).

It may be said that a trial before your Board than an ordinary case in a criminal Court; and we may concede that in a court-martial, usage, though not any positive law, sanctions a more liberal rule in the reception of evidence than prevails in ordinary courts of justice. Though this may be true, a substantial departure from ac- of the culprit.

cepted rules of evidence would be fatal to the validity of the proceedings. A standard authority remarks that "As the rules which govern courtsmartial are the same as those obtaining in the criminal Courts of the land, it is of essential importance that military men should well understand the general principles of the law of evidence." (De Hart on Courts-Martial, chapter 16, page 334).

Under these principles, which must govern you in the present trial, it requires little argument to determine that the paper in question cannot be admitted in evidence, nor be permitted to take a place in the case for any purpose.

First-The prisoner who makes the statement is a convicted felon, having in this State served a term of imprisonment at hard labor for an infamous crime; and having resumed a place in the community without pardon; and having, also, in England, been again convicted of one of the highest felonies, and been actually under sentence for this second crime when his statement was made.

Second-The statement is ex parte.

Third-Although technically acknowledged and made in the presence of one of the counsel of the Bank of England, it is not sworn to.

Fourth-While it is true that accomplices are permitted, if personally present at a trial, to be sworn and examined upon the condition that their testimony is to be disregarded unless corroborated, yet this rule does not reach the case of persons already convicted of felony. And in this case the prisoner is not averred to be an accomplice in the alleged criminal acts of the accused, but on the contrary is the perpetrator of a crime for which he was arrested by the officers whose ruin he now seeks to accomplish.

Fifth-If the prisoner were here present, his personal examination would not be permitted, even with every opportunity of cross-examination.

Sixth-If the prisoner were personally competent as a witness, still an unverified statement of this character emanating from him must upon its face be rejected.

In the reported remarks of the counsel for the complainants it seems to be intimated that the paper may be received as a statement of what was read and repeated to and in the presence of the accused, in order to give in evidence what was said by them in respect to the charges, or what, by their silence, they must be regarded as having admitted. Admissions of an accused person are competent testimony; although judicial tribunals invariably pronounce them as of an exceedingly weak and unsatisfactory character. Indeed, they are regarded with great disfavor, because they are subject to the misunderstanding of the witness who narrates them. But it has been expressly determined by high judicial authority that it is not competent to produce in evidence a document which has been read in the presence of accused parties in order to prove their statements or their silence when the reading took place. This decision meets the very point we are now considering. (See the case of Sheridan against Smith, in the old Supreme Court, where the opinion was given by the eminent jurist, Mr. Chief-Justice Samuel Nelson, supported by Chancellor Walworth, Mr. Justice Bronson, Mr. Justice Cowen and other distinguished judges. 2 Hill's Reports, page 538). In that case, Mr. Justice Nelson said: "It was insisted upon the argument that the proof of what James testified to before the justice in the presence of the plaintiff was admissible upon the assumption that the plaintiff heard and assented to it." This the learned Chief-Justice pronounces incompetent, and a new trial in that case was granted upon an error of the Court below in admitting just such testimony as we are now considering in the proceeding before you.

If you should deem and declare that the accused officers are guilty and ought to be branded and dismissed from the force, it will be important that the decision be based upon evidence of a character which the law and the judgment of mankind regard as competent and admissible. If, however, when such evidence shall have been adduced, the accused shall stand with no actual proofs against them, it is equally important to public justice, as well as to individual rights, that a judgment in their case should be in no way influenced by a paper coming from such a source and presented under such circumstances as characterize the statement which we have is more in the nature of a trial by court-martial been considering. In any case of a convicted felon, imprisoned for an infamous crime, it might be easy to produce a "confession" of this character, to malign the supposed authors of his downfall. Such a statement could be made plausible by the skill of counsel or the cunning

In my judgment, and I am confident the emi nent counsel for the Bank of England will agree with me, the paper must be rejected and utterly excluded from the case.

I am, gentlemen, With great respect,

Your obedient servant, E. DELAFIELD SMITH, Counsel to the Corporation.

NOTE. - Since this opinion was given, the Counsel of the Bank of England have stated, in effect, that under the laws of Great Britain, the statement must be regarded as a sworn deposition. The explanation must be, that the Parliament of that country, regarding the too common administration of oaths as demoralizing, have in many cases substituted regularly acknowledged declarations for affidavits, and visited falsity in the formerwith the penal consequences of perjury. No legislation can obliterate essential distinctions. An oath is an appeal to the Supreme Being. A man already sentenced to a penal colony has little more to apprehend from human penalties. If he speaks falsely, it could not seriously harm him in this world. But if under oath, some possible scruples might influence his testimony. The legislation referred to may, upon the whole, be wise; but no such change in the law of evidence has yet been made in this State.

Chapter 335 of the Laws of 1873 provides that the detailed canvass of votes at every election shall be published at the expense of the city only in The CITY RECORD. Chapter 823 of the Laws of 1873 pro-vides that the official canvass shall be publicly advertised for one day only, and that all advertising provided for in this later statute shall be done in newspapers only published in the City of New York, to be designated by the Board of Police. Held, that the two acts must be construed together, and that the publication must be made in The Crry Record, in addition to the two newspapers to be selected by the Board of Police

It appears that THE CITY RECORD is not to be legally and technically held to be a "newspaper."

LAW DEPARTMENT,

OFFICE OF THE COUNSEL TO THE CORPORATION, New York, November 7, 1873.

Abraham Disbecker, Esq., Supervisor of the Ctty

SIR:-The one hundred and eleventh section of chapter 335 of the Laws of 1873 provides that " The detailed canvass of the votes at every election shall be published at the expense of the city only in THE CITY RECORD."

The fourth section of chapter 823 of the Laws of 1873 provides that "The official canvass. immediately upon its completion and declaration by the Board of County Canvassers, shall be publicly advertised for one day only; all advertising provided for in this section shall be done in two daily newspapers only published in the City of New York, to be designated by the Board of Police."

You request my opinion whether the official canvass of the votes at the recent election should be published in THE CITY KECORD.

It is an established rule that, in construing two statutes relating to the same subject, both should be construed together, and, if possible, effect be given to the will of the Legislature thus doubly expressed. It is true that where the later law is plainly repugnant to that first passed, the last expression of the legislative will must prevail. In this instance, while the earlier statute declares that the publication in question must be in THE CITY RECORD, the more recent act seems to require that the publication should be made in only two newspapers, to be designated by the Board of Police. In the first place, the official publication called THE CITY RECORD can hardly be considered a "newspaper" for the purposes now under consideration. Indeed, it is restricted by law to the publication of an official record of the transactions of the executive and legislative departents of the municipal government. General news is by the very act under which it is established excluded from its columns. I think it safer to give effect to the two laws in this respect, rather than to throw ourselves upon the idea that by implication, in the absence of any express repeal, the provision which I have cited from the later act is to be regarded as abrogating the provision quoted from the first statute.

Upon the whole, it is my opinion that the publication to which you refer must be made in THE CITY RECORD in addition to the two newspapers which the Board of Police Commissioners are called upon to select.

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

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\$197,634 92

DEPARTMENT OF FINANCE.

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

Nov. 8, 1873-Robert Christie, Bureau for the Collection of Assessments, to serve notices.

Nov. 11—Charles M. Eisig, temporary clerk, Bureau for the Collection of Taxes.

Nov. 12-John Thomas, temporary clerk, Bureau for the Collection of Taxes.

Removals.

Nov. 5-Robert Grace, sweeper Jefferson Market. Nov. 10-William E. Sackett, assistant clerk

Comptroller's office. Nov. 10-M. M. Livingston, asisstant clerk in

Auditing Bureau. Designation of Salaries and Transfers.

Nov. 11-John H. Brooch, assistant clerk,

Comptroller's office, \$1,700 per annum. Nov. 11-Charles H. Swan, clerk Bureau for the Collection of Taxes, \$2,500 per annum.

Nov. I-Washington T. Romaine, transferred from position of deputy clerk, Washington Market to that of clerk of West Washington Market, \$1,500 per annum.

ANDREW H. GREEN, Comptroller.

BOARD OF EDUCATION.

Nov. 12, 1873. A special meeting of the Board convened at 4 o'clock, in response to the call of the President, to take into consideration the report of the Joint Committee of the Committees on By-Laws and Finance, relative to the annexation of the lower portion of Westchester county to New York, and

also to consider in Committee of the Whole the report of the Committee on Salaries and Present-Wm. H. Neilson, Esq., President,

and Commissioners Baker, Beardslee, Brown, Dowd, Farr, Halsted, Jenkins, Lewis, Kelly, Klamroth, Man, Mathewson, Patterson, Townsend, Travely, Vermilye, West and Wetmore-

Absent-Commissioners Hoe and Seligman-

The report of the Joint Committee on By-Laws and Finance was read, submitting the estimate of the amount of school moneys required for the year 1874 for the "Eighth School District," composed of these portions of the County of Westchester, as will be annexed to the County of New York under the law. The amount reported by the Committee is one hundred and sixty-six thousand five hundred and eighty-six dollars, (\$166,586), as follows:

For Teachers' salaries	\$112,086 0
" Janitors' salary	8,000 0
" Supplies, books, maps,&c	
" Fuel	
" Incidental, printing, &c	1,000 0
" Rents of buildings	
" Repairs to buildings	

\$166,586 00

The report of the Committee was unanimously

The report of the Committee was unanimously adopted.

The Board then went into Committee of the whole, Commissioner Beardslee in the chair, to consider the report of the Committee on Salaries and Economy. The report was taken up by paragraphs, and several amendments were made, when the Committee rose reported progress, and asked leave to sit again. Which was granted.

On motion of Commissioner Dowd, the application of the Trustees of the Tenth Ward to advertise for proposals to repair the wall of the rear building of Grammar School, No. 7, was granted, on the report and recommendation of the Committee on Buildings.

The President laid before the Board a communication from Hon. Andrew H. Green, Comptroller, transmitting a copy of the minutes of the Board of Estimate and Apportionment for 1873.

the Board of Estimate and April 1873.

Commissioner Townsend presented a communication from the Board of Education of School District No. 1, West Farms, and Commissioner Man presented a remonstrance from citizens and taxpayers of the same district against the said communication.

The communication and remonstrance were re-

ferred to the Joint Committee of By-Laws and

The President laid before the Board communications from the School Boards of Kingsbridge and West Farms inviting the Board of Education to meet with them and visit the schools of these

towns.

Referred to the Joint Committee on By-Laws and Finance.

and Finance.

Commissioner Vermilye presented a report from the Finance Committee, stating that the Board has the "financial ability" to furnish a new piano for the female department of Grammar School No. 39.

Also, to appropriate \$2,000 for the use of the committees in the Nautical School.

The reports were adopted and the appropriations made.

The Roard then adjourned.

The Board then adjourned

L. D. KIERNAN, Clerk.

TREASURER'S REPORT

TO THE

COMMISSIONERS OF EMI-GRATION,

FOR THE PERIOD ENDING NOVEMBER 11, 1873.

RECEIPT	S.		
Cash balance on hand at date of last report	Same	49	
RECEIVED— For Commutations:			
On Aliens to last report			4000 000 00
for Forwarding Account:	15,095	50-	-\$207,910 50
To last report	864		
Since For Ward's Island Expenses:	87	50	952 34
To last report	2,497	83	4 6 5
For Relief and Charities:	319	41	2,817 24
To last report	717	40	
Since	87	50	804 90
For State Charitable Institut'ns:			
To last report		20	8 20
For County Houses:		•••	0 20
To last report	4	00	****
Since For State Agencies:			4 00
To last report		73	
Since For Castle Garden:	56	25	664 98
To last report	258	93	258 93
For insurance to last report			6 87
For inmates' funds		65	257 55

DISBURSEMENTS.

		PAID-
		For Ward's Island Expenses:
****		To last report
\$86,621 60	9,300 38	Since For Castle Garden Expenses:
	40,617 21	To last report
49,827 01	9,200 80	Since
43,00, 00	31009 00	For General Exp. Account:
	5,348 00	To last report
5,711 39	363 30	Since
5,1 5,		For Forwarding Account:
	3,490 03	To last report
3,743 93	253 90	Since
0.7.10.30		For Relief and Charities:
	2,165 45	To last report
2,409 25	243 80	Since
-14-7 -3	-43	For State Agencies :
	1,688 02	To last report
1,813 02	125 00	Since
.,0.3 0.		For County Houses:
	16,503 00	To last report
16,503 09	10,303 09	Since
20,303 09	****	For State Charities Inst's:
7.5575	7,684 60	To last report
7,684 60	,,,,,,	Since
1,004 00		For Insurance:
	401 00	To last report
401 00		Since
400		For account of contracts on
		Lunatic Asylum:
	22,525 96	To last report
22,525 96	****	Since
265 80	265 80	Bowling Green Savings Bank
	21 62	Inmates Funds
128 27	106 65	Since

Balance on hand June 1, 1873 Total receipts since	\$5,077	88
	\$218,763	39
Total Disbursements since June 1	\$197,634	92
	\$218,763	39
Total amount of bills passed by Finance Com-		

mittee since last report... GARRET BERGEN, Treasurer.

DEPARTMENT OF PUBLIC

CHARITIES AND CORRECTION

DAILY MEETINGS NOV. 3D TO NOV. 8TH, 1873.

Present - Commissioners Laimbeer, Bowen,

Communications.

Communications.

From Almshouse, Charity, Small-pox, Fever, Bellevue, Reception Hospitals, Lunatic Asylum, Blackwell's Island, New York City Asylum for the Insane, Ward's Island—Reporting daily census of these institutions. Ordered on file.

From Lunatic Asylum, Blackwell's Island, and New York City Asylum for the Insane on Ward's Island—Reporting number of inmates and how employed. Ordered on file.

From Lunatic Asylum, Blackwell's Island, and New York City Asylum for the Insane, Ward's Island—History of patients admitted. Referred to Examining Clerk.

From Almshouse—Statement of the amount of labor performed by mechanics (inmates), for week ending Nov. 8, 1873. Ordered on file.

From Lunatic Asylum, Blackwell's Island, New York City Asylum for the Insane, Ward's Island—History of patients admitted. Referred to Examining Clerk.

From Charity Hospital—Consumption of Liquors during October, 1872. Ordered on file.

From Charity Hospital — Consumption of Liquors during October, 1873. Ordered on file. From same—Attendance of visiting Physicians and Surgeons, during October, 1873. Ordered on file.

From Medical Board of Bellevue Hospital-Minutes of monthly meeting, October 31st, 1873. Ordered on file.

From Bellevue Hospital—Attendance of Visit-ing Physicians and Surgeons, during October, 1873. Ordered on file. From Bureau of Medical and Surgical Relief

From Bureau of Medical and Surgical Relief for out door poor—Attendance of Consulting and Visiting Physicians and Surgeons, during October, 1873. Ordered on file.

From same—Number of prescriptions issued on orders of district physicians, during October, 1873. Ordered on file.

From New York City Asylum for the Insane—Consumption of Liquors during October, 1873. Referred to Medical Inspector.

From same—Statement of extra diet issued during October, 1873. Referred to Medical In spector.

From Inebriate Asylum—Consumption of gas during October, 1873. Ordered on file.

From Nursery and Infants Hospital—Consumption of liquors during October, 1873. Referred to Medical Inspector.

From Warden, Hart's Island—Appearing before Grand Jury, against John Cody and Frank Hysen for arson, William Smith detained as witness. Ordered on file.

From Nursery, Infants Charity Hospital, New York City Asylum for the Insane—Statement of drugs and medicines on hand October 31, 1873. Referred to Medical Inspector.

From Charity Hospital—Statement of extra diet issued during October, 1873. Referred to Medical Inspector.

From Lunatic Asylum, Blackwell's Island—Statement of extra diet issued during October, 1873. Referred to Medical Inspector.

From Same and Epileptic and Paralytic Hospital—Consumption of liquors during October, 1873. Referred to Medical Inspector.

From Physician, City Prison—Monthly report for October, 1873. Ordered on file.

From Examination Office, Bellevue Hospital—Monthly report for October, 1873. Ordered on file.

From Work House—Report of elopements and

Monthly report for October, 1873. Ordered on file.

From Work House—Report of elopements and deaths during October, 1873. Ordered on file.
From George Campbell—Resignation as keeper at City Prison. Accepted.
From Bellevue Hospital—Complaint against William Bowles, orderly.—Discharged.
From Hart's Island—Transmitting to Department of Interior, Washington. Report on Educational Department. Ordered on file.
From City Prison—John Behan, reporting for duty as keeper. Ordered on file.
From New York City Asylum for the Insane, Ward's Island—Resignation of Edward L. Farr, M.D., assistant physician. Accepted.
From Bellevue Hospital. Consumption of liquors during October, 1873. Referred to Medical Inspector.

Lunatic Asylum. Blackwell's Island.

Lunatic Asylum, Blackwell's Island.

Lizzie McEwen appointed nurse. Nov. 3, 1873. By the Board.

Free Labor Bureau.

By Commissioner Bowen— Resolved, That Mrs. Clara A. Molon be pro-moted to the office of Matron of Labor Bureau, and that her salary be \$50 per month from this

Nov. 3, 1873. Adopted.

Inebriate Asylum.

By Commissioner Laimbeer— Resolved, That George Campbell, cook of Inebriate Asylum, be discharged. Nov. 6, 1873. Adopted.

By Commissioner Stern—
Resolved, That John Miller be and is hereby appointed cook to the Inebriate Asylum for one month on trial, at a compensation of \$10 per

Nov. 6, 1873. Adopted.

Penitentiary.

Pententiary.

By Commissioner Laimbeer—
Resolved, That the warden of the Penitentiary furnish to-day a gang of men suitable for repairing small-pex pavilion, with a good keeper, viz.: I mason, I carpenter, 8 laborers; subject to orders of Supervising Engineer Knapp.

Nov. 6, 1873. Adopted.

City Prison.

John Behan, appointed keeper, vice George Campbell, resigned. Nov. 6, 1873. By the Board.

Wara's Island Improvement.

By Commissioner Laimbeer— Resolved, That Mr. Dilts be informed by the secretary that hereafter he must perform his du-ties with his hands out of his pockets, and devote his entire time and attention to the details re-

quired. Nov. 6, 1873. Adopted.

City Prison.

By Commissioner Laimbeer—
Resolved, That Peter Collins be discharged as keeper at the Tombs for neglect of duty.
Nov. 6, 1873. Adopted.

All Institutions.

By Commissioner Laimbeer-

By Commissioner Laimbeer—
Resolved, That the Secretary be instructed to notify all wardens that their requisitions made upon this Department up to and until January, 1874, must be confined to the positive wants of the institutions under their care, and that no article will be allowed unless the wants of the institutions under their care, and that no article will be allowed unless the wants of the inmates demand it for actual use up to January

1, 1874. Nov. 6, 1873. Adopted.

Storekeeper.

Ordered, That previous to acting on the present requisitions, the storekeeper to see the several wardens, and ascertain what articles or portions of them can be dispensed with.

Nov. 6, 1873. By the Board.

All Institutions.

Ordered, That special requisition for lumber, nails, &c., for improvements, repairs, &c., be made on the first of each month only.

Nov. 6th, 1873. By the Board.

City Prison.

By Commissioner Stern—
Resolved, That Abraham Newfield be, and is hereby promoted from his present position as guard at the Penitentiary to that of keeper of the City Prison, in place of Abraham Curran, discharged. harged. Nov. 7, 1873. Adopted.

Penitentiary.

By Commissioner Stern—
Resolved, That William Pierce be, and is hereby appointed guard at Penitentiary in place of Abraham Newfield, promoted.
Nov. 7, 1873. Adopted.

Free Labor Bureau.

Ordered, That the rooms over male department, formerly occupied by Mrs. West, be assigned to Paul Schmitzler, in consideration of his additional services as assistant janitor.

Nov. 7, 1873. By the Board.

Store House, Blackwell's Island.

Ordered That the storekeeper intrust the

Ordered, That the storekeeper instruct the baker that on receipt of flour, bills are to be certified immediately and transmitted to this office on the following day.

Nov. 7, 1873. By the Board.

All Institutions.

By Commissioner Stern:
Resolved, That the wardens of the several institutions be requested to aid Mr. Flagler in getting up the clothing for the Children at Randall's Island, by applying all the available assistance of persons under their charge for that assistance of persons under their charge for that purpose, in preference to all other work to be done for their own department.

Nov. 7, 1873. Adopted.

Charity Hospital.

By Commissioner Laimbeer— Resolved, That Doctor Herman Knapp be appointed Visiting Physician to Charity Hos-pital, in place of Henry D. Noyes, M.D., re-

Nov. 7, 1873. Adopted.

District Physician.

By Commissioner Laimbeer—
Resolved, That Benjamin Wilson, M.D., be appointed a District Physician in place of Wm. P. Wooster, M.D., being for 8th District, 18th and 21st wards.
Nov. 8, 1873. Adopted.

Central Office. Estimate for building coal vault. Laid over

for 1874. Nov. 8, 1873. By the Board. JOSHUA HHILLIPS, Secretary.

DEPARTMENT OF BUILDINGS

New York, November 10, 1873. The following comprises the operations of the Department of Buildings for the week ending November 8, 1873.

BUREAU OF CONSTRUCTION AND ALTERATION OF BUILDINGS.

Plans, Specifications and Special Applications, filed, examined and passed upon.

NEW BUILDINGS.

CLASSIFIED AS FOLLOWS: Tenements....
Third class Stores....
Manufactories and Workshops.... Total..... Plans &c., approved, including those previously filed.
" amended and approved.
" pending. Total..... 6

ALTERED BUILDINGS.

CLASSIFIED AS FOLLOWS: Second class Dwellings Tenements. Hotels and Boarding Houses. Manufactories and Workshops. Total..... 7

BUILDINGS EXAMINED AND PLANS RELATING THERETO
PASSED UPON INCLUDING THOSE PREVIOUSLY FILED :.. 14
 Approved,
 1r

 Amended and approved.
 r

 Disapproved.
 r

 Pending.
 r

Total..... 14

SPECIAL APPLICATIONS.

Number filed examined and passed upon:.... Total..... 14 HENRY J. DUDLEY,
Deputy Supt.
and Chief of Bureau.

BUREAU OF UNSAFE BUILDINGS, VIOLATIONS

AND COMPLAINTS. operations for the November 8, 1873:

Complaints received from outside sources.

Violations of the law reported

Violations of the law removed

Unsafe buildings reported.

Unsafe buildings made safe...

Unsafe buildings taken down.

Surveys held on unsafe buildings.

Violation cases sent to Attorney for prosecution.

Unsafe building cases sent to Attorney for prosecution.

tion. 0
Violation notices served. 10
Unsafe building notices served 20
Buildings surveyed as to general condition. 326 The classification of the unsafe buildings re-

ported are as follows:

\$1300m

Andrew Owens, Chief of Bures

532. BUREAU OF IRON WORK. Abstract of operations for the week ending November 8, 1873: Notices for Fire Escapes served. Cases sent to Attorney for prosecution. JOHN VANDERBECK, Chief of Bureau. BUREAU OF THEATRES, HOTELS, SCHOOL-HOUSES, FACTORIES AND SPECIAL SURVEYS. Abstract of operations for the week ending Saturday, November 8, 1873: THEATRES. Nine theatres have been during the week, viz.: The Olympic, Booth's, Bowery, Academy of Music, Barnum's, Union Square, Wood's Museum, Niblo's Garden, and the Broadway, and no violations of section 29 of the building law reported as occurring. A special survey was held because the control of the section 29 of the building law reported as occurring. Nine theatres have been officially inspected ported as occurring. A sp upon the Olympic Theatre. HOTELS Eight hotels have been officially examined and inspected, as follows, to wit: The Arlington House, 22, 24 and 26 East 14th

The Arlington House, 22, 24 and 26 East 14th street; Ashland House, 315, 317 and 319 4th avenue; Belmont Hotel, 133, 135 and 137 Fulton street; Astor House, Broadway, Vesey and Barclay streets: Madison Avenue Hotel, 63 Madison avenne; Lennox House, 72 Fifth street; Glenhan, southwest corner 3d avenue and 24th street, and the Compton House, northeast corner 3d avenue and 24th street, and the Compton House, northeast corner 3d avenue and 24th street, of these, the Astor, Arlington, Ashland, Lenox and Compton are reported as being provided with ample means and facilities for egress and escape in case of fire. The Madison avenue, Glenhan and Belmont, are reported as not being provided with sufficient means of egress and escape, and additional fire escapes, ladders, &c. recommended therein.

SAMUEL T. WEBSTER,

SAMUEL T. WEBSTER, Chief of Bureau. BILLS INCURRED.

To Henry Dudley-Surveys on unsafe Supt. of Buildings.

OFFICIAL DIRECTORY.

Statement of the hours during which all public offices the City are open for business, and at which each ourt regularly opens and adjourns, as well as of the laces where such offices are kept and such Courts are

held.	ECUTIVE DEPARTM	ENT.
	LOCATION	HOURS.
** C.O.	No 6 City Hall	10 a.m.—3 p.m.
	hal. No. 5, City Hall No. 1, City Hall	
Tinner Durent	n No r City Hall	10 d.m e p.m.
LE	GISLATIVE DEPART	MENI.
Cl'k of the C	ot B'd 7 & 8 City Hal	1.0 A.M4 P.M.

neil and of B'd 7 & 8 City Hall. 9 A.M.-4 P.M. of Supervisors.
Olerk of B'd of Assist-

ant Aldermen. FINANCE DEPARTMENT.
Office hours from 9 a.m. to 4 p. m.
Comptroller's Office, West end, New County Court

Office hours from 9 a. m. 10 4 p. m.
Comptroller's Office, West end, New County Court House.

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—
Ground floor, West end, New County Court House.
2—Bureau for the Collection of Taxes—
Brown-stone building, City Hall Park.
3—Bureau for the collection of arrear of taxes and Assessments and of water rents—
Ground floor, West end, New County Court House.
4—Auditing Bureau—
Main floor, west end, New County Court House.
5—Bureau of Licenses. | Ground floor, west end, New 6—Bureau of Markets—| County Court House.
7—Bureau for the City and for the payment of money on warrants drawn by the Comptroller and countersigned by the Mayor—
(Office of Chamberlain and County Treasurer.)
Main floor west end, New County Court House.
8—Bureau for the Collection of Assessments—
Governor's room, City Hall (temporarily,)
LAW DEPARTMENT
Counsel to the Corporation, 82 Nassau st., 9 a. m., 5 p.m.
Public Administrator, 115 and 117 " 10 a.m., 4 p.m.
Corporation Att'y.
Attorney for the Collection of Arrears of Personal Taxes, 265 Broadway, Room 13, 9 a. m., 4 p. m.
Attorney for the Collection of Arrears of Personal Taxes, 265 Broadway, Room 13, 9 a. m., 4 p. m.
Attorney for the Collection of Arrears of Personal Taxes, 265 Broadway, Room 13, 9 a. m., 4 p. m.
Attorney for the Collection of Arrears of Personal Taxes, 265 Broadway, Room 13, 9 a. m., 4 p. m.
Attorney for the Collection of Arrears of Personal Taxes, 265 Broadway, Room 13, 9 a. m., 4 p. m.
Attorney for the Collection of Arrears of Personal Taxes, 265 Broadway, Room 13, 9 a. m., 4 p. m.
Attorney for the Collection of Arrears, always open.
Com's Office, 300 Mulberry street, always open.
Com's Office, 100 Mulberry street, always open.
Inspector's Office, 100 Mulberry street, always open.

Central Office, 300 Com's Office, Supt's Office, Inspector's Office, Chief Clerk's Office, Property Clerk, Bureau of S't Clean'g, "Bureau of Elections, "

Bureau of Elections,
DEPARTMENT OF PUBLIC WORKS.
Commissioners' Office, 19 City Hall, 9 a. m., 4 p. m.
Chief Clerk. DEPARTMENT OF PUBLIC WORKS.

Commissioners' Office, 19 City Hall, 9 a. m., 4 p. m. Chief Clerk, 20
Contract Clerk, 21
Engineer in charge of sewers, 21 City Hall, "Engineer in charge of Boulevards and avenues, 18 ½ City Hall, Bureau of repairs and supplies, 18 City Hall, "Bureau of Lamps and Gas, 13 City Hall, "Bureau of Imcumbrances, 13 City Hall, 9 a, m. to 4 p. m. Bureau of Street Improvements, 11 City Hall, "Bureau of Street Improvements, 11 City Hall, "Bureau of Water Pureyor, 4 City Hall, "Bureau of Water Pureyor, 4 City Hall, "Bureau of Water Pureyor, 4 City Hall, "Bureau of Streets and Roads, 13 City Hall, "Bureau of Streets and Roads, 14 City Hall, "Bureau of Streets and Roads, 14 City Hall, "Bureau of Streets and Roads, 15 City Hall, "Bureau of Streets and Roads, 16 City Hall, "Bureau of Streets and Roads, 18 a. m., to 5 p. m. Out Door Poor Dept, 66 Third av., always open.

Entrance on 11th Street.

Free Labor Bureau, 8 and 10 Clinton pl. 8 a. m. to 5 p. m. Reception Hospital, City Hall Park, N. E. Corner, always open.

Reception Hospital, City The Reception Hospital, 1994 street and 10th av. always open.
Reception Hospital, foot of 36th street, E. R. "Bellevue Hospital, foot of 36th street, E. R. "FIRE DEPARTMENT.
Commissioner's Office, 127 and 129 Mercer St., 9 a. m. to

4 p. m. Chief of Department, 127 and 129 Mercer St., 9 a. m. to 1 p. m. In spectors of Combustibles, 127 and 129 Mercer St., 9 2. m. to 4 p. m.
Marshal, 127 and 129 Mercer St., 9 a. m. to 4 p. m.

Commissioner's Office, 301 Mott St. 9 a. m. to 4 p. m. Sanitary Superintendent, 301 Mott St., always open. Register of Records, 301 Mott St., for granting burial permits, on all days of the week except Sundays from 7 a. m. to 6 o'lock p. m., and on Sundays from 8 a. m. HEALTH DEPARTMENT.

DEPARTMENT OF PUBLIC PARKS. ners' Office, 36 Union Square, 9 a. m. to 5 p m

DEPARTMENT OF DOCKS. ommissioners' office, 346 and 348 Broadway, corne Leonard St., o a. m. to 4 p. m.

DEPARTMENT OF TAXES AND ASSESSMENTS.
Commissioners' Office, Brown Stone Building, City Hall
Park, 32 Chambers St., 9 a. m. 4 p. m., on Saturday 9
a. m. to 3 p. m.
Surveyor's Bureau, 19 Chathain St., 9 a. m. to 4 p. m.,
Board of Assessors,

DEPARTMENT OF BUILDINGS

eriatendent's Office, 2 Fourth av., a. m. to 4 p. m BOARD OF EXCISE.

Commissioners Office, 299 Mulberry street, 9 BOARD OF EDUCATION. Office of the Board, cor Gra d and Elm sts, 9 A. M. 5 P.

COMMISSIONERS OF EMIGRATION. Commissioners, Office, Castle Garden, 9 a. m. to 5 p. m. Superintendents, Office, Castle Garden, 9 a. m. to 5 p. m THE CITY RECORD Office, No. 2 City Hall, N. W, corner basement, 8 a. m. to 6 p. m.

MISCELLANEOUS OFFICES.

er's Office, 40 E. Houston st.
I's "first floor, S. W. cor. 9 a. m. to 4 p. m Coroner's Office, 40 E. Houston st.

New Court House.
County Clerk's Office, first floor, N. E.
cor. New Court House.
Surrogate's Office, first floor, S. E. cor.
New Court House.
Register's Office, Hall of Records, Q. a. m. to 4 p. m.
City Hall Park.
District Attorney's Office, second floor City Hall Park.
District Attorney's Office, second floor
Old Court House, 82 Chambers

Street.
Commissioner of Jurors, Commissioner's Office, basement, brown stone building, City Hall Park 32 Chambers treet, 9 a.m. to 4 p.m.
COURTS.

Second Floor, 10,a. m. to 3 p. m. General Term, Special Term, Chambers, New Court House.) 10:30 a. m. to 3 p. m. SUPERIOR COURTS.

Superior Court.

Part I. 3d floor, New 11 a. m. — Court House. 11 a. m. — Clerk's Office, 3d floor, New Court House, 9 a. m., 4 p.m.

Common Pleas, 3d fl., New Court House, 9 a. m., 4 p. m GENERAL SESSIONS

Genera Sessions, 32 Chambers street, 10 a. m., 4 p. m Clerk's Office, 32 Chambers st., Room t4, OYER AND TERMINER.

Oyer and Terminer.

" General Term.
" Special Term.
" Special Term. SPECIAL SESSIONS

Special Sessions, Tombs, corner Franklin and Centre streets, Tuesdays, Thurs-days and Saturdays, 10 a. m. JUSTICE'S (OR DISTRICT) COURTS.

First District, 1st, 2d, 3d, and 5th
Wards, S. W. corner of Centre and
Chambers streets.
Second District, 4th, 6th, and 14th
Wards, 514 Pearl street.
Third District, 3th, 9th, and 15th Wards,
12 Greenwich avenue.
Fourth District, 1oth, and 17th Wards,
16 East Houston street.
Fifth District, 7th, 11th, and 13th Wards
15 Clinton street.
Sixth District.
Sixth District, 19th and 22d Wards,
57th street, between Third and Lexington avenues.
Eighth District, 16th and 20th Wards,
S. W. cor. 22d st. and 7th aven.
Sixth District, 12th Ward, 2374 Fourth
avenue.

MARINE COURT (Brown stone building.)

General Term, 32 Chamber Room 17, 10 a. m., 3 p. Special " Room 15, " Room 18, " " Room 18, " " Room 18, " " Room 19, 9 a. m. 4 p. First District, 14th, 24th, 25th, 26th, 27th, and portion of Sanitary Precinct. 7 a. m., 3 p. m cinct. Second District, 8th 9th, 15th, 16th, 20th, 25th, 33d, 28th, and 29th Precincts. Greenwich ave., corner of 10th street. 9a. m., 6p. m Precincts. Third District, 7th 10th, 11th, 13th, 17th, 18th, and portion of Sanita-8 a. m., 4 p. m 69 Essex street. portion of Santal
ry Precinct.

Fourth District,
19th, 21st, 22d,
23d, and 19th
sub station.

Fifth District, 12th Ward, 2374 Fourth
avenue (Harlem.) 8a. m., 5p. m

LEGISLATIVE DEPARTMENT.

Office of Clerk of the Common Council, No. 8 City Hall, New York, November 12, 1873. New York, November 12, 1873.

A SPECIAL MEETING OF THE BOARD OF ALdermen, as provided by section 112, chapter 235, laws of 1873, as amended by section 20, of chapter 757, laws of 1873, will be held in the Chamber of the Board, in the City Hall, on Wednesday, November 19, 1873, at 3 o'clock F.M., for the purpose of considering the PROVISIONAL ESTIMATES made by the Board of Estimate and Apportionment for conducting the public business of the City of New York for the YEAR 1874, as presented to the Board of Aldermen, at a meeting thereof held on the 10th inst., in a communication from the Comptroller. The heads of the several departments of the City Government authorized to be present and to participate in the proceedings of the Board of Aldermen, are hereby requested to attend without further notification.

Clerk Common Council.

OFFICE CLERK OF THE COMMON COUNCIL, No. 8 CITY HALL.

THE STATED SESSIONS OF THE BOARD OF aldermen will be held on Thursday of each week, at 3 o'clock, P. M., in the chamber of the Board, room No. 15, City Hall.

JOSEPH C. PINCKNEY,

STREET OPENINGS.

SUPREME COURT.—IN THE MATTER OF THE application of the Mayor, Aldermen and Commonalty of the City of New York, relative to the opening of One Hundred and Fortierh street, between the Eighth avenue and the Harlem river, in the City of New York. 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:

affected thereby, and to all others whom it may contern, to wit:

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 Robert Sutherland, Esq., our Chairman, at the office of the Commissioners, No. 82 Nassau street (Room No. 24), in the said city, on or hefore the 3d day of November, 1873, and that we, the said Commissioners, will hear parties so objecting within the ten week days next after the said 3d day of November, and for that purpose will be in attendance at our said office on each of said ten days, at 12 o'clock M.

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 15th day of November, 1873.

the Department of Fulces

York, there to remain until the 15th day of November,
1873.

That the limits embraced by the assessment aforesaid
are as follows, to wit: All those lots, pieces or parcels of
land, lying and being in the said city of New York, and
included and contained within the following described
limits or bounds, that is to say: on the north by the centre line of the blocks between 140th and 141st streets;
on the south by the centre line of the blocks between
140th and 133th streets; on the west by the easterly line
of the avenue Saint Nicholas; and on the east by the
westerly line of Exterior street at the Harlem river.

And 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 2d day of
December, 1873, 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, September 27, 1873.

ROBERT SUTHERLAND,
GRATZ NATHAN,
MICHAEL C. MURPHY,
Commissioners.

SUPREME COURT.—IN THE MATTER OF THE application of the Mayor, Aldermen and Commonalty of the city of New York, relative to the opening and extending of Lexington avenue, from One Hundred and Second street to the Harlem river, in the city of

and Second street to the Hariem

New York.

We, the undersigned Commissioners of Estimate and
Assessment in the above entitled matter, hereby give
notice to the owner or owners, occupant or occupants,
all houses and lots and improved or unimproved lands affected thereby, and to all others whom it may concern,
formulated our estimate and as-

fected 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 William Hitchman, Esq., our Chairman, at the office of the Commissioners, No. 51 Chambers street, (Room No. 3), in the said city, on or before the 25th day of October, 1873, and that we the said Commissioner will hear parties so objecting within the ten week-days next after the said 25th day of October, and for that purpose will be in attendance at our said office on each of said ten days, at 12 o'clock M.

Second.—That the abstract of said the 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 Pub'c Works, in the city of New York, there to remain until the 6th day of November, 1873.

Third.—That the limits embraced by the assessment

New York, there to remain until the 6th day of November, 1873.

Third.—That the limits embraced by the assessment aforesaid are as follows, that is to say: All those lots, pieces or parcels of land in the city of New York, and contained, lying and being within the following bounds or limits: Beginning at a point formed by the intersection of the westerly line or side of Third avenue and the northerly line or side of Fifty-ninth street; running thence northerly and mesterly along the said westerly line or side of Third avenue to the southerly line or side of Exterior street; thence northerly and westerly along the southerly into or side of One Hundred and Thirty-fourth street; thence westerly along the southerly line or side of Fourth avenue; thence southerly along the said easterly line or side of Fourth avenue; thence southerly along the said easterly line or side of Fourth avenue to the northerly line or side of Fourth avenue to the northerly line or side of Fourth avenue to the northerly line or side of Fifty-ninth street; and thence easterly along the northerly line or side of Fifty-ninth street; and thence easterly along the northerly line or side of Fifty-ninth street; and thence easterly line or side of Fifty-ninth street; and thence easterly line or side of Fifty-ninth street; and thence easterly line or side of Fifty-ninth street; and thence easterly line or side of Fifty-ninth street; and thence easterly line or side of Fifty-ninth street; thence we sterly along the said easterly line or side of Fifty-ninth street; and thence easterly line or side of Fifty-ninth street; thence we sterly line or side of Fifty-ninth street; thence we sterly line or side of Fifty-ninth street; thence we sterly line or side of Fifty-ninth street; thence we sterly line or side of Fifty-ninth street; thence we sterly line or side of Fifty-ninth street; thence we sterly line or side of Fifty-ninth street; thence we sterly line or side of Fifty-ninth street; thence we sterly line or side of Fifty-ninth street; thence we sterl

erly line or side of Fitty-limits to the gianning.

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 20th day of November, 1873, 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, September 22, 1873.

WILLIAM HITCHMAN, SHEPARD F. KNAPP, DANIEL WHALEN, Commissioners.

SUPREME COURT.—IN THE MATTER OF THE Application of the Mayor, Aldermen, and Commonalty of the City of New York, relative to the Opening of Avenue B, from 71st street to 83d street, and from 86th street to the Harlem River, in the City of New York. Notice is hereby given that the bill of the costs, charges and expenses incurred by reason of the proceedings in the above entitled matter, will be presented for taxation to one of the Justices of the Supreme Court at the Chambers thereof, in the New Court House at the City Hall, in the City of New York, on the twentieth day of November 1873, at 10½ o'clock in the forenoon. JOHN BRYAN, HENRY A, SMITH, FRANCIS M, BIXBY, Commissioners.

Dated New York, November 7th, 1873.

FINANCE DEPARTMENT.

INDICES OF RECORDS.

CITY OF NEW YORK, DEPARTMENT OF FINANCE, COMPTROLLER'S OFFICE,

A LIMITED NUMBER OF COMPLETE SETS OF the INDICES OF RECORDS are offered for sale, full bound in sheep, as follows:

Grantors, 28 volumes.

Grantees, 24

Notices of Suits in Equity, 8
Insolvents, &c., 1

Total,..6z Judgments.....25 Sets unbound,......61

Incomplete sets may be completed on application at this office.

Communications in relation to the Records should be addressed "Superintendent of Records, Comptroller's Office."

ANDREW H. GREEN, Comptroller.

PARADE GROUND.

PARADE GROUND.

SUPREME COURT.—IN THE MATTER OF THE application of the Department of Public Parks, for and in behalf of the Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title to certain lands in the City of New York, for a public place or parade grounds, in said city.

Pursuant to statutes in such case made and provided, the Department of Public Parks, for and in behalf of the Mayor, Aldermen and Commonalty of the City of New York, hereby give notice that, in compliance with the act of the Legislature of the State of New York, entitled "An act to alter the map or plan of the City of New York by laying out thereon a public place for a parade ground, and to authorize the taking of the same," passed April 20, 1871, three-fifths being present, the Counsel to the Corporation of the City of New York will apply to the Supreme Court of the State of New York, at a special term of said Court, to be held at the chambers of the City of New York on Thursday, the 20th day of November, 1873, at 10 of clock A. M., or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above entitled matter, and that the nature and extent of the improvement hereby intended, are the laying out and opening of a public place for a parade ground, between River street and Sherman avenue, and between Inwood street and a cretain New street in the City of New York, to the Department of Public Parks, and the other copy in the Office of the Department of Public Parks, and the other copy in the Office of the Department of Public Parks, and the other copy in the Office of the Department of Public Vorks in said city, to which maps reference is hereby made.

Dated New York, October 25, 1873.

maps reference is neredy industry.

Dated New York, October 25, 1873.

E. DELAFIELD SMITH,

Counsel to the Corporation

BOARD OF EDUCATION.

OFFICE OF THE BOARD OF EDUCATION, Corner Grand and Elm Streets, New York, November 11, 1873.

Corner Grand and Elm Streets,
New York, November 11, 1873.

SEALED PROPOSALS WILL BE RECEIVED AT
this office until the zeth day of November instant,
at 3 P. M., for supplying for the use of the Public Schools
under the jurisdiction of the Board of Education, books,
stationery, and other articles required for one year, commencing on January 1, 1874.

City and country publishers of books, and dealers in
the various articles required, are hereby notified that
preference will be given in all cases to the bids of principals, the Committee being desirous that commissions
(if any) heretofore paid to agents or middle-men shall be
deducted from the price of the various articles bid for
A sample of each article must accompany the bid.
A list of articles required will be furnished on application to the Clerk of the Board of Education.

RUFUS G. BEARDSLEE,
ANDREW J. MATHEWSON,
JAMES M. HALSTED,
DAVID WETMORE,
ROBERT HOE,
Committee on Supplies.

SEALED PROPOSALS WILL BE RECEIVED BY the Committee on Buildings, at the oeffie of the clerk of the Board of Education, corner of Grand and Elm streets, until Monday November 24th, 1873, and until 4 o'clock p. M., on said day, for iron stairs, for primary schools Nos. 17, and 33.

Plans and specifications may be seen at the office of the Superintendent of School Buildings, No. 146 Grand street, third floor.

The Committee reserves the right to reject any or all of the proposals offered.

WILLIAM DOWD.

william Down, SAM'L P. PATTERSON, CHARLES V. LEWIS, ROBERT HOE. DAVID F. BAKER, Committee on Buildings, Dated New York, Nov. 8th, 1873.

HEALTH DEPARTMENT.

AT A MEETING OF THE BOARD OF HEALTH of the Health Department of the City of New York held at its office, No. 301 Mott street, on the 14th day of October, 1873, the following resolution was adopted:

Resolved, That under the power conferred by law upon the Health Department, the following additional section to the Sanitary Code for the security of life and health, be and the same is hereby adopted and declared to form a portion of the Sanitary Code.

Section 182. That the owners, lessees and occupants of any building in the City of New York, in which hatchways or well-holes exist, or shall hereafter be constructed shall cause the same to be effectually barred or enclosed by railing, gates or by other contrivances approved by the Board of Health, for the prevention of accidents therefrom.

CHARLES F. CHANDLER.

CHARLES F. CHANDLER,

DEPARTMENT OF BUILDINGS.

DEPARTMENT OF BUILDINGS,
Office No. 2 Fourth av., opposite Sixth st. }

A RCHITECTS, BUILDERS AND OTHERS, HAVing plans and spacifications for the erection, alter
ation or repair of buildings to file with this Department,
are hereby notified, that m all cases where iron girders
or lintels are provided to support brick walls, it will be
necessary for them to submit properly drawn and figured elevations of the walls to be so supported.
W. W. ADAMS
Superintendent.

DEPARTMENT PUBLIC WORKS.

DEPARTMENT OF PUBLIC WORKS, ONERS' OFFICE, ROOM 19, CITY HALL, NEW YORK, NOV. 10, 1873. COMMISSIONERS OFFICE, ROOM, NOV. 10, 1873.

PUBLIC NOTICE IS HEREBY GIVEN THAT A
a petition of the property owners, with map and
plan, for the change of grade in Park street, between
Baxter and Pearl streets; also of Little Water street,
between Park and Worth streets, is now pending before
between Park and Worth streets, is now pending before

between Park and Worth streets, is now pending before the Common Council.

All persons interested in the above-mentioned change of grade, and having objections thereto, are requested to present the same in writing to the undersigned, at his office, on or before the Twenty-first (21st) day of November, 1873. GEO. M. VAN NORT, Commissioner of Public Works.

POLICE DEPARTMENT.

PROPERTY CLERK'S OFFICE, 300 MULBERRY STREET, ROOM 39.

WNERS WANTED BY THE PROPERTY tollowing property now in his custody, without claimants: Revolvers, boat, pig iron, straw braid, canal boat, gold watch, gold eye-glasses, clothing, combs, dog collars, knives, etc.

C. A. St. JOHN, Property Clerk

THE CITY RECORD.

OPIES OF THE CITY RECORD CAN BE OB-tained at No. 2, City Hall, (N. W. corner basement.) Price five cents each.