

# THE CITY RECORD.

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### LEGISLATIVE DEPARTMENT.

#### BOARD OF ALDERMEN.

##### STATED SESSION.

THURSDAY, June 17, 1875, }  
2 o'clock P. M.

The Board met in their chamber, No. 15 City Hall.

##### PRESENT:

Hon. SAMUEL A. LEWIS, President;

##### ALDERMEN

Andrew Blessing,  
Edward Gilon,  
Magnus Gross,  
John W. Guntzer,

Patrick Lysaght,  
William H. McCarthy,  
Henry D. Purroy,  
John Reilly,

Peter Seery,  
Edward J. Shandley,  
Joseph P. Strack.

The minutes of the last meeting were read and approved.

##### PETITIONS.

By Alderman Blessing—

Petition of property-owners to change the grade of Fifty-second street, between Tenth and Twelfth avenues.  
Which was referred to the Committee on Streets.

By the same—

Petition of James Brown, for the same purpose.  
Which was referred to the Committee on Streets.

By Alderman McCarthy—

Remonstrance of the property-owners against the paving of Lawrence street, from One Hundred and Twenty-sixth to One Hundred and Twenty-ninth street.  
Which was referred to the Committee on Street Pavements.

By the President—

Demand of Helen L. Grinnell, for payment of an award in the matter of opening Eleventh avenue.  
Which was ordered on file.

By the same—

Demand of E. S. Whitman, Treasurer of the Church of the Intercession, for payment of an award in the matter of opening Eleventh avenue.  
Which was ordered on file.

By the same—

Demand of George B. Grinnell, for payment of an award in the matter of opening Eleventh avenue.  
Which was ordered on file.

By the same—

Demand of William H. Wheelock, for payment of an award in the matter of opening Eleventh avenue.  
Which was ordered on file.

By Alderman Gross—

To the Honorable the Board of Aldermen:

The undersigned, citizens, tax-payers, and house-owners of the City of New York, respectfully represent:

That they herewith make complaint and seek the protection of your Honorable Body against a resolution of the Board of Health, passed at its meeting on Tuesday, the 8th inst., and directing the Sanitary Superintendent to cause privies, vaults, and sinks to be emptied and cleaned from sunrise to sunset instead of during the night hours, as heretofore established by the rules of that Department.

The undersigned deem it unnecessary to argue before your Honorable Body the many objectionable features of such an operation in the day-time, in all parts of the city, and in particular during the hot summer months; it is sufficient to say, that it is creating a nuisance worse than any the aforesaid Department is called upon to abate.

Section 17, subdivisions 1, 2, 3, and 4 of the Charter of 1873 give the regulation of the use of the streets, sidewalks, etc., in the hands of your Honorable Body, wherefore we pray: that the use of the same be denied to the licensed scavengers of the Board of Health for the emptying and cleaning of privies, vaults, and sinks, and the removal of night-soil during the day-time; and the undersigned ask for a favorable consideration of this their prayer.

MOSES B. TAYLOR and others.

Which was referred to the Committee on Law, and ordered printed in the minutes.

By Alderman McCarthy—

Petition of property-owners to change grade of One Hundred and Twenty-ninth street, between Eleventh and Twelfth avenues.  
Which was referred to the Committee on Roads.

##### INVITATIONS.

By Alderman Blessing—

Invitation of the Columbia Yacht Club to witness their Eighth Annual Regatta.  
Which was accepted.

##### RESOLUTIONS.

By Alderman Blessing—

Whereas, In reply to a resolution adopted by this Board, January 28, 1875, calling for information in relation to the various railroad companies that pay licenses to the city, etc., his Honor the Mayor reported on the 18th of February a statement, from which it appears that but three of the city railroad companies now pay licenses for their cars, and that the sum of \$750,000 was then due the city by said railroad companies for unpaid licenses; and

Whereas, By a resolution adopted by this Board on the 4th day of March, last, his Honor the Mayor was requested to instruct the Corporation Attorney to immediately commence proceedings against such delinquent railroad companies for violation of the Corporation ordinances, and to recover the amount so due the city, but no action has as yet been taken by the Mayor to comply with such request; and

Whereas, It is clear that a proper regard for the welfare and good government of this city demands that those whom the people have elected, or who have been appointed to high, honorable, lucrative and responsible offices, should signalize their acceptance of the trust, and their appreciation of its accompanying duties and responsibilities by devising measures for the public good, by jealously guarding the corporate rights of the city, by endeavoring to preserve and increase its revenues, thereby diminishing taxation, by carefully considering measures calculated to increase, and take advantage of the great natural facilities vouchsafed us, for commercial, manufacturing, and other business purposes, and in endeavoring to add by prudent acts and wise suggestions to the growth, prosperity and future welfare of this great metropolis; and

Whereas, The people do not distinctly and clearly understand that while railroad corporations, which monopolize the uses of our streets, and extort from our people a high rate of compensation for insufficient accommodations for travel, can set at defiance, with seeming impunity, ordinances passed for their government, and in the pecuniary interest of our taxpayers, to an extent already amounting to three-quarters of a million of dollars, and think that the full power vested in these high officials is not exercised; while the efforts of the heads of the different Departments to reduce taxation by the reduction of forty cents per day from the wages of the poor laboring man does not receive the approval of the tax-paying citizens, which causes projects, worth untold millions to the general interests of the city in the increase of real estate values, to be neglected or totally disregarded, while appropriations are made and every official encouragement possible given to the efforts of others interested in neighboring cities, who, if successful in accomplishing their purposes, aided as they now are and will be by the nominal charge for ferriage, will depopulate the lower portion of the city, thus adding to the growth of neighboring States and cities in wealth, population, and business, leaving New York City to deteriorate in all those evidences of prosperity; and

Whereas, Many of the minor Departments are grossly inefficient, and, it is alleged, in some instances, corrupt; the cleaning of the streets is neglected, the management of our finances is a mystery, a riddle that can be solved, if at all, only by the head of that Department; the Fire, Police, and Health Departments are hospitals for the reception and care of country politicians, their relatives and friends, while all the other Departments are costly and expensive machines, run not in the interests of the people, but of the politicians who avail themselves, with avidity, of the opportunity they afford for billeting retainers of country members of the State Legislature upon the inhabitants and taxpayers of this city; and

Whereas, All the above, and many other of the bad effects of special Albany legislation, which, for many years past, has cursed the city, and rendered such a condition of our local government inevitable, are fully known and appreciated by the representatives of our people in the Common Council, who, by reason of disabilities imposed upon them by the Laws of the State, are powerless to apply any remedial measures, other than to expose them to our citizens, or to suggest, and in all humility request, our departmental magnates to be graciously pleased to intermit their bickerings or wranglings by an occasional proceeding in the interest of the people; be it therefore

Resolved, That as a measure in the interests of the city, certainly paramount to the reduction of the pay of the laborers, his Honor the Mayor be and he is hereby again very respectfully requested to order the Counsel to the Corporation to instruct the Corporation Attorney to commence proceedings against the several railroad companies who are in default for payment of license fees to an amount, as reported by the Mayor to this Board, of \$750,000, for the recovery of that amount, in order that the city treasury be replenished to pave the way for a restoration of original wages to the laboring classes at the expense of those who are delinquents to the city, and whose efforts to evade their duties as law-abiding citizens are reprehensible, and whose dividends from said corporations would not impoverish either their personal or their corporations' conditions.

Alderman Seery moved that the paper be referred 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, on a division called by Alderman Blessing, viz.:

Affirmative—The President, Aldermen Gilon, Gross, Guntzer, Lysaght, McCarthy, Purroy, Reilly, and Seery—9.

Negative—Aldermen Blessing, Shandley, and Strack—3.

(G. O. 329.)

By Alderman Strack—

Whereas, The Commissioners of Accounts are occupying a room in the basement of the Brownstone Building, which was assigned for the use of the Grand Jury, by a resolution of the Board of Aldermen, approved December 17, 1874; and

Whereas, The southwest corner room, on the third floor of building situated on the southwest corner of Chambers and Centre streets, is now unoccupied; be it

Resolved, That the said room be designated as the office (temporarily) of the Commissioners of Accounts, in order that the premises heretofore assigned to the Grand Jury may be prepared for their use; and that the Commissioner of Public Works cause the necessary repairs to be made.

Which was laid over.

By Alderman Reilly—

Resolved, That his Honor the Mayor be and he is hereby requested to return to the Board a resolution passed at the last meeting amending a resolution passed and provided in the act, chapter 41, Laws of 1875, to pay the Warden of the County Jail, for articles furnished to prisoners confined in said jail.

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

Which was decided in the affirmative.

(G. O. 330.)

By Alderman McCarthy—

Resolved, That Ninth avenue, from Seventy-second to Eighty-first street, be regulated and graded, curb and gutter stones set, and the sidewalks flagged four feet wide, where not already done, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was laid over.

By Alderman Guntzer—

Resolved, That permission be and the same is hereby given to W. G. Steele to place and keep a street lamp in front of No. 833 Broadway, provided the work to be done, gas supplied at his own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

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

Which was decided in the affirmative.

By the same—

Resolved, That Edward G. Black be and he is hereby reappointed a Commissioner of Deeds in and for the City and County of New York.

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

Which was decided in the affirmative by the following vote:

Affirmative—The President, Aldermen Blessing, Gilon, Gross, Guntzer, Lysaght, McCarthy, Purroy, Reilly, Seery, Shandley, and Strack—12.

By Alderman Shandley—

Resolved, That Edward Oettinger be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Nathaniel H. Osgood, who has failed to qualify.

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

Which was decided in the affirmative by the following vote:

Affirmative—The President, Aldermen Blessing, Gilon, Gross, Guntzer, Lysaght, McCarthy, Purroy, Reilly, Seery, Shandley, and Strack—12.

By Alderman Lysaght—

Resolved, That Hugh F. Dolan be and he is hereby reappointed a Commissioner of Deeds in and for the City and County of New York.

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

Which was decided in the affirmative by the following vote:

Affirmative—The President, Aldermen Blessing, Gilon, Gross, Guntzer, Lysaght, McCarthy, Purroy, Reilly, Seery, Shandley, and Strack—12.

(G. O. 331.)

By Alderman Purroy—

Resolved, That two gas-lamps be placed and lighted in front of the Church of the Immaculate Conception, in One Hundred and Fifty-first street (late Gouverneur street), between Third and Courtlandt avenues, under the direction of the Commissioner of Public Works.

Which was laid over.

By Alderman Gilon—

Resolved, That his Honor the Mayor is hereby respectfully requested to return to this Board a resolution to permit the property owners on both sides of Twenty-third street, between the Eleventh and Thirteenth or Exterior avenues, to set back the curb-stone thereon, which was passed at the last meeting of this Board.

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

Which was decided in the affirmative.

By the President—

Resolved, That William M. Levine be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Henry Phillips, resigned.

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

Which was decided in the affirmative by the following vote:

Affirmative—The President, Aldermen Blessing, Gilon, Gross, Guntzer, Lysaght, McCarthy, Purroy, Reilly, Seery, Shandley, and Strack—12.



By Alderman Seery—

Resolved, That Joseph P. McDonough be and he is hereby reappointed a Commissioner of Deeds in and for the City and County of New York.

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

Which was decided in the affirmative by the following vote :

Affirmative—The President, Aldermen Blessing, Gilon, Gross, Guntzer, Lysaght, McCarthy, Purroy, Reilly, Seery, Shandley, and Strack—12.

By Alderman Shandley—

Resolved, That Herman Steifel be and he is hereby reappointed a Commissioner of Deeds in and for the City and County of New York.

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

Which was decided in the affirmative by the following vote :

Affirmative—The President, Aldermen Blessing, Gilon, Gross, Guntzer, Lysaght, McCarthy, Purroy, Reilly, Seery, Shandley, and Strack—12.

By the President—

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

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

Which was decided in the affirmative by the following vote :

Affirmative—The President, Aldermen Blessing, Gilon, Gross, Guntzer, Lysaght, McCarthy, Purroy, Reilly, Seery, Shandley, and Strack—12.

By Alderman Lysaght—

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

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

Which was decided in the affirmative by the following vote :

Affirmative—The President, Aldermen Blessing, Gilon, Gross, Guntzer, Lysaght, McCarthy, Purroy, Reilly, Seery, Shandley, and Strack—12.

By Alderman Blessing—

Resolved, That William H. Stafford be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Solomon Michaels, whose term of office has expired.

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

Which was decided in the affirmative by the following vote :

Affirmative—The President, Aldermen Blessing, Gilon, Gross, Guntzer, Lysaght, McCarthy, Purroy, Reilly, Seery, Shandley, and Strack—12.

By the same—

Resolved, That P. O'Beirne be and he is hereby appointed a City Surveyor.

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

Which was decided in the affirmative by the following vote :

Affirmative—The President, Aldermen Blessing, Gilon, Gross, Guntzer, Lysaght, McCarthy, Purroy, Reilly, Seery, Shandley, and Strack—12.

By Alderman Strack—

Resolved, That John McCauley be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of John Mathews, whose term of office has expired.

Which was referred to the Committee on Salaries and Offices.

By Alderman Gilon—

Resolved, That permission be and is hereby given to Messrs. Lobe & Stiles, to keep a watering-trough in front of their premises, on the northeast corner of Hudson and Charles streets, the work to be done at their own expense ; and to remain 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 Purroy—

Resolved, That the Harlem Railroad Company be and they are hereby directed to place an additional flagman at the junction of the public crossings immediately north of the Fordham Depot, whose duty it shall be to warn pedestrians and those driving vehicles of approaching trains.

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

Which was decided in the affirmative.

By Alderman Guntzer—

Resolved, That Charles V. Lyons be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of William B. Smith, who failed to qualify.

Which was referred to the Committee on Salaries and Offices.

By Alderman Blessing—

Resolved, That Charles W. Arthur be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Benjamin P. Brown, who failed to qualify.

Which was referred to the Committee on Salaries and Offices.

By Alderman Purroy—

Resolved, That the Harlem Railroad Company be and they are hereby directed to place an additional flagman at the public crossing immediately north of the Tremont Depot, whose duty it shall be to warn pedestrians and those driving vehicles of approaching trains.

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

Which was decided in the affirmative.

By Alderman Shandley—

Resolved, That the fire-hydrant on the southeast corner of Grand and Essex streets, directly on a line with the crosswalk across Grand street, be removed and placed in Grand street, ten feet east of its present location, under the direction of the Commissioner of Public Works.

Which was referred to the Committee on Public Works.

By Alderman McCarthy—

Resolved, That One Hundred and Fourteenth street, between Second and Fourth 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.

Which was referred to the Committee on Street Pavements.

(G. O. 332.)

By Alderman Seery—

Resolved, That curb and gutter stones be set and reset on the west side of Mangin street, between Rivington and Stanton streets, under the direction of the Commissioner of Public Works ; and that the accompanying ordinance therefor be adopted.

Which was laid over.

By Alderman Blessing—

Resolved, That gas-mains be laid, street-lamps be erected, and lamps lighted in Sixty-seventh street, between Eighth avenue and Boulevard, 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 McCarthy—

Resolved, That the vacant lots on the south side of Eighty-seventh street, between Second and Third avenues, 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 the same—

Resolved, That gas-mains be laid, and street-lamps be erected, and lamps lighted, in One Hundred and Twenty-ninth street, between Tenth avenue and Boulevard, 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 Blessing—

Resolved, That permission be and the same is hereby given to James Deering to flag the sidewalk, full width, in front of his premises in Lawrence 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 President put the question whether the Board would agree with said resolution.

Which was decided in the affirmative.

#### REPORTS.

The Committee on Roads, Bridges, and Tunnels, to whom were referred the annexed preamble and resolution, in relation to the nuisance occasioned by the imperfect filling in of the "Harlem Flats," respectfully

#### REPORT :

That they have personally visited the locality complained of, and are convinced from a very careful examination of the marsh land that no permanent or effectual relief from the evils now arising from the imperfect filling in of such marsh will ever be obtained in any other way than by completely covering the low land to a height sufficient to prevent any overflow thereof by the tide—say from three to five feet higher than the present level.

Before the land included in these flats "can be made available for residences or for business purposes" it will require to be filled up to a height varying from five feet, at the margin of the river, to twenty feet or more at or near Third avenue, over the present level, as the entire marsh is now that distance below the established grade.

Your Committee are aware that it is claimed that the present taxable value of these lands will not permit an expenditure sufficient to fill them to the established grade of the streets and avenues that intersect them, nor even to any greater height than at present. This is a very singular position to assume, certainly. Does not the filling up of this marsh enhance the value of the property? Is not the property, in its present imperfectly filled condition, worth three or four times as much per city lot as it was in its original condition, and before any filling was done upon it? Most assuredly it is, and the assessor, who does not so value it, clearly violates his duty. Every yard of earth deposited, in reclaiming the marsh lands, enhances the value of the property to an extent sufficient to pay for the expense of the yard of filling deposited. In proof of this assertion, it is only necessary to ask the present owners, even in view of the great depression in real estate values, the price per lot, and compare it with the price or value of the land before the filling and draining was undertaken. The answer, we feel assured, will satisfy every disinterested person that the position assumed by your Committee is correct, and cannot be refuted.

What, then, is the duty of the officials under whose jurisdiction the determination of this question is placed? To the minds of your Committee it is clear, to cause the lands to be properly and thoroughly drained, and filled in with good and wholesome earth, sufficient to prevent any injurious effects upon the health, or annoyance to the inhabitants of the vicinity, and from the enhanced value of the land, even under the present laws, which prevents more than one-half of its taxable value being assessed upon it for any local improvement, more than sufficient can be equitably realized to pay for the work of draining and filling, if the assessor faithfully performs his duties, and values the land at a just proportion to other property.

The following resolutions are therefore respectfully offered for your adoption :

Resolved, That the Commissioner of Public Works be and he is hereby requested to examine the work of filling the Harlem Flats, performed under the supervision and by contract with his predecessor in office, and if in his opinion additional filling will remedy the evils now complained of, that he cause the work to be commenced instantly, and completed in the most expeditious manner, and to a level at least sufficient to prevent any overflowing, even by the highest tides ; and be it further

Resolved, That the said Commissioner of Public Works be and he is hereby requested to confer with the Board of Health, and if the proposition meets the approval of that Board, then that immediate steps be taken to compel the owners of property who are now or lately have been filling in this marsh with ashes, and other refuse material to conform to the grade of filling decided upon by the Commissioner of Public Works, and to deposit an amount of good and wholesome earth equal to that decided to be necessary for all that portion of the flats that has been or is to be filled in by contract with the Department of Public Works. Also that the under drainings of the entire area be inspected, and if found deficient, improved.

WM. H. MCCARTHY, } Committee on  
JOHN REILLY, } Roads, Bridges, and Tunnels.

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

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, June 9, 1875. }

To the Honorable the Common Council :

GENTLEMEN—I herewith transmit for your consideration a communication from the Mayor and Common Council of the City of Brooklyn.

WM. H. WICKHAM, Mayor.

CITY CLERK'S OFFICE, ROOM NO. 1, }  
CITY HALL, BROOKLYN, June 1, 1875. }

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

GENTLEMEN—By the unanimous vote of the Board of Aldermen, at a meeting held May 17, 1875, I am directed in behalf of the Mayor and Common Council of the City of Brooklyn to respectfully, but most earnestly solicit the co-operation of your Honorable Body with the Special Committee of the Brooklyn Common Council, appointed to act in the matter of securing the re-establishment of the ferry between Grand street, New York, and Grand street, Brooklyn.

This ferry, as doubtless the members of your Honorable Body are aware, was for many years one of the most important of those connecting the shores of Long Island with the City of New York, and its operation resulted in the building up, through the conveniences which it afforded, of a large and populous section of the City of Brooklyn. For a long period it was the leading ferry in what was formerly Williamsburgh, and is now the Eastern District of the City of Brooklyn, and its sudden suspension some months ago, as may readily be understood, produced not merely an inconvenience to the residents, but an almost entire stagnation of the business, and consequent serious depreciation in the value of the property in that section of the city.

The people directly interested have urged upon this Common Council action to secure, if possible, from the authorities of the City of New York the re-establishment of this important channel of communication between the two cities, and thereby a deliverance from the inconvenience, distress and loss to which, through its suspension, they are now subjected, and in response to their urgent demands, a Special Committee of this Board was appointed to take action in that direction. Thus far, however, the Brooklyn Committee have failed to obtain the desired relief, principally, it is understood, by reason of some difference of opinion on a legal question involved between some of the depositories of authority in the City of New York. The object of this communication is to respectfully call the attention of your Honorable Body to the subject, and to appeal to you to take immediate action in relation to it, and especially not to permit any mere technical questions of law to delay the granting of the relief so urgently needed.

Respectfully, for Mayor and Common Council of Brooklyn,

WM. G. BISHOP, City Clerk.

The preamble and resolution of the Common Council of the City of Brooklyn, are as follows :

IN COMMON COUNCIL, STATED SESSION, }  
May 17, 1875. }

The following preamble and resolution were adopted :

By Alderman Kenna—

Whereas, Continual and persistent efforts have been made during several months by committees and members of this Board, and by numerous influential citizens and business men of the Eastern District of this city, to bring about a re-establishment of the Grand Street Ferry, such efforts, up to the present time, being devoid of success, there being, as yet, no probability of a speedy resumption of travel over said ferry, the stoppage of which has caused, and is still causing, a serious depreciation in the value of property, and a stagnation of business in that portion of our city ; and

Whereas, It is generally understood that one of the causes, if not the principal cause, of the delay in the opening of ferry communication, is the existence of a difference of opinion between the Common Council of New York and the Dock Commissioners of that city, as to the powers vested in either body over ferry franchises : therefore,

Resolved, That the Clerk of this Board be and he is hereby directed, in the name of the Mayor and Common Council of this city, to send a respectful communication to his Honor the Mayor and the Honorable Common Council of the City of New York, setting forth the loss and inconvenience to which a large number of the people of this city are subjected, by the long-continued interruption of ferry accommodation, and asking the active co-operation of the City of New York with the Special Committee heretofore appointed to act in the matter for this city in securing a renewal of ferry facilities between Grand street, New York, and Grand street, Brooklyn.

The resolution was adopted.

Unanimous consent was granted.

CITY CLERK'S OFFICE, BROOKLYN, }  
June 1, 1875. }

I hereby certify that the foregoing resolution is a true copy from the minutes of the Common Council of the above date.

D. McNAMARA, Deputy City Clerk.

[SEAL.]

Which was referred to the Committee on Ferries.

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

EXECUTIVE DEPARTMENT, CITY HALL, }  
NEW YORK, June 9, 1875. }

To the Honorable the Common Council :

GENTLEMEN—In response to the request, made by your resolution of the 3d instant, for transmission to you of the report made by the Commissioners of Accounts into the affairs of the Fire Department in December last, I have the honor to inform you that that report was by me, in February last, forwarded to the Governor, who still retains it.

WM. H. WICKHAM, Mayor.

Which was ordered on file.

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

EXECUTIVE DEPARTMENT, CITY HALL, }  
NEW YORK, June 9, 1875. }

To the Honorable the Common Council :

GENTLEMEN—In response to your resolution of the 3d inst., requesting the return to you of a



resolution and ordinance for flagging east side of First avenue, from Thirty-second to Thirty-third street, I have the honor to inform you that that instrument was heretofore returned with others to you.  
WM. H. WICKHAM, Mayor.

Which was ordered on file.

(G. O. 333.)

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

EXECUTIVE DEPARTMENT, CITY HALL,  
NEW YORK, June 9, 1875.

To the Honorable the Common Council:

GENTLEMEN—I herewith transmit for your consideration a communication from the Commissioner of Public Works, and recommend that you take proper and prompt action upon the case presented.

WM. H. WICKHAM, Mayor.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,  
NEW YORK, June 9, 1875.

To Hon. WILLIAM H. WICKHAM,  
Mayor of the City of New York:

SIR—I respectfully present for your consideration the accompanying "resolution or ordinance," and request it may be submitted to the Common Council, in order that I may be authorized as early as the law will permit to proceed with the work laid out, under authority of chapter 477, section 2, Laws of 1875.

The work designed this season, in addition to what may be otherwise specially directed by the Common Council, comprises the laying, on Fifth avenue, between Tenth and Fifty-seventh streets, a 20-inch pipe, with the necessary connections;

Between Sixty-sixth street and First avenue, and Eightieth street and Fifth avenue, the 48-inch pipe taken from Fourth avenue improvement;

Across Harlem river to Randall's Island, a 6-inch wrought iron pipe, boxed, etc., and a 6-inch cast iron pipe, with necessary stops, etc., etc., on the island to supply the different institutions.

In the several streets and avenues on Manhattan Island, such pipe as may be found necessary.

In the Twenty-third and Twenty-fourth Wards, about 15,000 feet of 12-inch and 20,000 feet of 6-inch pipe, with connections, etc.; and

In William street, between Chambers and Wall street, a 20-inch pipe and large hydrants, etc.

The estimated cost, allowing \$41,000 for extra stop-cocks, hydrants, and contingencies will be \$500,000.

Very respectfully,

FITZ JOHN PORTER,

Commissioner of Public Works.

Resolved, That in pursuance of chapter 477, section 2, Laws of 1875, the Commissioner of Public Works is hereby authorized and directed to lay such water pipes, mains, and fixtures, as have been ordered or may be ordered by the Common Council to be laid, and such other pipes, mains, and fixtures as he may deem necessary, to extend and enlarge the distribution of Croton water through the City of New York, including the two new wards, and to furnish a sufficient supply thereof to the institutions in charge of the Department of Public Charities and Correction, located on Blackwell's Island, Ward's Island, and Randall's Island, and in laying mains necessary to deliver said water at higher levels and in greater quantities.

Which was laid over.

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

EXECUTIVE DEPARTMENT, CITY HALL,  
NEW YORK, June 9, 1875.

To the Honorable the Common Council:

GENTLEMEN—I herewith transmit a communication from Colonel Emmons Clark, Colonel commanding Seventh Regiment, National Guard, State of New York.

WM. H. WICKHAM, Mayor.

HEADQUARTERS SEVENTH REGIMENT,  
NATIONAL GUARD, S. N. Y.,  
NEW YORK, June 2, 1875.

Hon. WM. H. WICKHAM, Mayor, etc.:

SIR—This Regiment leaves New York on Wednesday, June 16, to participate in the celebration, at Boston, Mass., of the Centennial Anniversary of the Battle of Bunker Hill, and desires to pass in review before your Honor and the Honorable the Common Council, at the City Hall, at 3 o'clock P. M. that day.

Hoping that it may be convenient and agreeable to yourself and to the members of the Common Council to review this Regiment at the time and place above named, I have the honor to be, with great respect,

Yours truly,

EMMONS CLARK,

Col. Com. Seventh Regiment,  
National Guard, S. N. Y.

Which was ordered on file.

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

EXECUTIVE DEPARTMENT, CITY HALL,  
NEW YORK, June 10, 1875.

To the Honorable the Common Council:

GENTLEMEN—I herewith transmit a communication from the Commissioner of Public Works and from the President of the Health Department, together with copies of several proposed ordinances, which I submit for your consideration, and recommend that you take prompt action upon the same.

WM. H. WICKHAM, Mayor.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, ROOM NO. 19, CITY HALL,  
NEW YORK, June 10, 1875.

Hon. WILLIAM H. WICKHAM,

Mayor, etc., of the City of New York:

SIR—Upon consultation with members of the Board of Health, and due consideration of the subject herein referred to, I would respectfully request that the following resolutions and ordinances be submitted by you to the Honorable the Common Council, requesting their early action thereon. They are as follows:

Filling in sunken lands, Third avenue and Harlem river, One Hundred and Sixth to One Hundred and Eighth street.

Filling in sunken lands, Fourth and Fifth avenues, Ninety-sixth to One Hundred and Fifth street.

Filling in sunken lands, Third and Fifth avenues, One Hundred and Fifth to One Hundred and Ninth street.

Filling in sunken lands, Third and Fourth avenues, One Hundred and Third to One Hundred and Fourth street.

Respectfully,

FITZ JOHN PORTER,

Commissioner of Public Works.

HEALTH DEPARTMENT, CITY OF NEW YORK,  
June 10, 1875.

To his Honor MAYOR WICKHAM:

MY DEAR SIR—At the conference held to-day, between the Commissioner of Public Works and the Health Commissioners, it was decided that the only plan by which the Harlem Flats can be relieved is by the action of the Board of Aldermen.

Legal difficulties stand in the way of immediate action under ordinary methods, and unless the Board of Aldermen authorize the Commissioner of Public Works to put a force of men into the district at once, to fill up the stagnant waters, and raise the grade of the low and saturated areas, no relief can be secured till the mischief of this season has been already done.

I would urge, therefore, the importance of the immediate passage of the resolutions which have been prepared at this conference for presentation to the Board of Aldermen.

Very respectfully, yours,

C. F. CHANDLER,

President Health Department.

(G. O. 334.)

Resolved, That the sunken lands, from Third avenue to Harlem river, between One Hundred and Sixth and One Hundred and Eighth streets, be filled in by contract or in such manner as the Commissioner of Public Works shall deem best for the interests of the city, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

(G. O. 335.)

Resolved, That the sunken lands between Fourth and Fifth avenues, from Ninety-sixth to One Hundred and Fifth street, be filled in by contract, or in such manner as the Commissioner of Public Works shall deem necessary for the interests of the city, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

(G. O. 336.)

Resolved, That the sunken lands between Third and Fifth avenues, from One Hundred and Fifth to One Hundred and Ninth street, be filled in by contract or in such manner as the Commis-

sioner of Public Works shall deem best for the interests of the city, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

(G. O. 337.)

Resolved, That the sunken lands from Third to Fourth avenues, between One Hundred and Third and One Hundred and Fourth streets, be filled in by contract, or such manner as the Commissioner of Public Works shall deem necessary for the interests of the city, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which were laid over.

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

EXECUTIVE DEPARTMENT, CITY HALL,  
NEW YORK, June 16, 1875.

To the Honorable the Common Council:

GENTLEMEN—I herewith transmit for your information a communication from the President of the Department of Public Parks.

WM. H. WICKHAM, Mayor.

DEPARTMENT OF PUBLIC PARKS, 36 UNION SQUARE, EAST,  
NEW YORK, June 3, 1875.

Hon. WM. H. WICKHAM, Mayor of the City of New York:

DEAR SIR—This Department is in receipt of a resolution of the Common Council, approved by you on the 21st ult., requesting that the sidewalks around City Hall Park and Washington square be flagged full width, and that the walks in said park and square be flagged four feet wide. I am requested by the Board of this Department to inform you of the following facts in relation to this work.

This Department has for a long time been aware of the necessity of relaying the flagging, especially on City Hall Park, but has never had an appropriation sufficiently liberal to warrant the heavy expense which it would incur. Therefore, in applying to the Board of Estimate and Apportionment for the necessary appropriations for 1874, there was included a separate item of \$30,000 for this purpose.

That Board, for reasons which have never been explained to this Department, cut down the amount to \$10,000, a sum totally inadequate for the purpose. The work would necessarily have to be done by contract, and the sum allowed not being sufficient it was impossible to enter into a contract. In June of 1874 the Board of Estimate and Apportionment, under authority of chapter 308, Laws of 1874, revised the appropriations given at the commencement of that year, and then took away even the small sum of \$10,000 previously granted. This Department again applied for an appropriation of \$30,000 this year, for the same purpose, but the Board of Estimate and Apportionment have again thought it right to refuse the application. The result is that this Department, although willing and anxious to prosecute the work mentioned in the resolution, is without the means to do so.

I remain, yours respectfully,

HENRY G. STEBBINS,

President D. P. P.

Which was referred to the Committee on Public Works.

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

EXECUTIVE DEPARTMENT, CITY HALL,  
NEW YORK, June 16, 1875.

To the Honorable the Common Council:

GENTLEMEN—I herewith transmit for your information a communication from the Department of Public Parks.

WM. H. WICKHAM, Mayor.

Which was ordered to be printed in the minutes and placed on file.

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

EXECUTIVE DEPARTMENT, CITY HALL,  
NEW YORK, June 16, 1875.

To the Honorable the Common Council:

GENTLEMEN—I herewith transmit for your information and consideration a communication from the Commissioner of Public Works, to which I invite your attention.

WM. H. WICKHAM, Mayor.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,  
NEW YORK, June 16, 1875.

HON. WILLIAM H. WICKHAM,

Mayor of the City of New York:

SIR—In further consideration and discussion of the system of vouchers to be rendered for expenditures by the Department of Public Works, I desire to submit the following suggestions:

The Department of Public Works has asked for an ordinance of the Common Council, directing triplicate vouchers (as now) for all expenditures to be made, two to be sent to the Comptroller to be receipted when paid, he to retain one for file in his Department, and to return the other to the Department of Public Works; this latter, as well as the one retained by the Comptroller, to be always a legal voucher, and the means of keeping correct balances, etc.

In my communication to you of May 19, I stated the reasons which, in my opinion, show that such an arrangement of vouchers in triplicate, is the only effectual safeguard this Department can employ to protect the public treasury against mistakes or frauds; and I then cited cases of recent occurrence, which support that opinion.

The Comptroller has not, in any communication to me, met my reasoning on that subject, with what seems to me to be weighty or serious argument in opposition. But he does insist that, whether his reasons are good or bad, he is himself the judge—that he has the power to dispense with the present system of triplicate vouchers, and that the Common Council has no power to enact the ordinance which this Department has asked for, or any similar ordinance—claiming it to be in opposition to the statute of 1873 (Chapter), or to be a trespass upon his exclusive right.

The ordinance asked for is only a repetition of an ordinance of 1859, which the Comptroller says that the Corporation Counsel has advised him, was repealed by the Charter of 1873. He claims the same authority for insisting also that the Charter denies to the Common Council the power to continue or re-enact that old ordinance.

But upon that point I venture to respectfully suggest, that the ordinance of 1859 has not been repealed, and that, if it has been, the Common Council has now the power to re-enact it, and to enforce it upon all concerned. In that suggestion I am advised that I am supported by the fact that the Charter of 1873 is operative to repeal only such laws or ordinances as are by it expressly abrogated, or as are in necessary conflict with it. But the Charter of 1873 nowhere expressly repeals the ordinance mentioned, or by necessary implication refers to it; and the Charter contains these provisions:

Sec. 1 "The Mayor, Aldermen, and Commonalty of the City of New York have all the grants, powers, and privileges heretofore held," \* \* \* "and not modified or repealed by the provisions of this act."

Sec. 17. "The Common Council shall have power to make, continue, modify, and repeal such ordinances, regulations, and resolutions as may be necessary to carry into effect any and all of the powers now vested in, or by this act conferred upon, the Corporation, and shall have the power to enforce obedience to such ordinances and observance thereof," etc., etc., "and shall have power to make such ordinances, not inconsistent with law and the constitution of this State, and with such penalties in the matter, and for the purposes following, in addition to other powers elsewhere specially granted: \* \* \* Subdivision 24. In relation to the mode and manner of sung for, collecting, and keeping accounts of the city and county."

By Section 29 the Comptroller claims the right to and does direct the Commissioner of Public Works to make only one voucher, that to be filed in his (the Comptroller's) office.

Sec. 29 says: The Finance Department shall prescribe the forms of keeping and rendering all city accounts, etc. But it is to be observed finally, that Sec. 90 contains these provisions. Whatever provisions and regulations, other than those herein specially authorized, may become requisite for the fuller organization, perfecting and carrying out of the powers and duties prescribed to any department by this act, shall be provided for by ordinance of the Common Council, who are hereby authorized to enact such necessary ordinances," etc.

To my own mind, and in the opinion of lawyers consulted by me, it is therefore clear that

1st. The Common Council has the right to enact the ordinance asked for, and to enforce it by directing the Comptroller not to interfere with the mode and manner of keeping accounts in the Department of Public Works.

2d. The Comptroller has not the right to direct the Department of Public Works to make only one voucher, and to require the Commissioner to certify from his own personal knowledge to the facts alleged upon the face of the voucher, and which it is actually impossible for the Commissioner to know.

I think it may be said, it is generally supposed, that the Comptroller, as well as every other Head of a Department, is the servant of the Mayor, Aldermen and Commonalty of the City of New York, subject to directions, except where the law specially exempts him from it; and that the power now asked to be exercised by the Common Council is vested in it, and should be so exercised as to prescribe the powers and duties of both the Comptroller and the Department of Public Works. That, whilst the Comptroller may prescribe the form of vouchers, the power of the Common Council to regulate the mode and manner of keeping accounts cannot be successfully controverted, because it is distinctly recognized by the Charter quoted above—that the power to require all vouchers to be in triplicate is embraced in the power to regulate the mode and manner, though not in the power to prescribe the form of keeping and rendering accounts—and that it is now competent for the Common Council, exercising its best judgment in the matter, to legislate in relation to the mode and manner of keeping the city accounts.



I am satisfied from a perusal of the opinion of the Counsel to the Corporation, that some of the provisions of the charter above referred to escaped his attention, and as his opinion was given without consultation with or reference to the views of this Department. I have no doubt that he will be willing to reconsider the subject.

Very respectfully,

FITZ JOHN PORTER,

Commissioner of Public Works.

Which was referred to the Committee on Law Department.

(G. O. 338.)

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

EXECUTIVE DEPARTMENT, CITY HALL,  
NEW YORK, June 16, 1875.

To the Honorable the Common Council:

GENTLEMEN—I herewith return to you the "Resolution to amend resolutions to pay for support of prisoners in the County Jail."

It is returned upon suggestions of several members of the Board for further consideration.

W. H. WICKHAM, Mayor.

Resolved, That the resolution heretofore passed, to wit, on the 1st day of April, 1875, and approved by the Mayor on the 6th day of April, in regard to the payment of the bills of William Dunham, Warden of the County Jail, for the year 1874, be amended by striking out the words "for supplies furnished to the County Jail during the year 1874," and inserting in lieu thereof the words "for the support and maintenance of such persons as have been confined in the jail of this county upon any civil process during the year 1874, and who have not paid for their support in said jail," the said amendment being requisite to conform with chapter 41 of the Laws of 1875, being the special enactment under the authority of which said bills were ordered paid.

Which was laid over.

#### RESOLUTIONS RESUMED.

By unanimous consent Alderman Reilly offered the following:

Whereas, On the 10th of September, 1874, a resolution was adopted by the Board, directing the Commissioners of Accounts to examine the accounts and manner of transacting the business of the Fire Department, particularly in the purchase of materials and supplies and the making of contracts, and report with such suggestion and recommendations as might be deemed conducive to the interests of the city, which said report, after such examination had been made, was deposited with the then acting Mayor, on or about 16th of December last, but was never transmitted to this Board; be it therefore

Resolved, That the Commissioners of Accounts be and they are hereby respectfully requested to transmit to this Board, at the next regular meeting thereof, the original or a copy of the report and result of the examination then made by the Commissioners of Accounts into the affairs of the Fire Department, as ordered by said resolution of September 10, 1874.

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

Which was decided in the affirmative.

(G. O. 339.)

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

The President laid before the Board the following communication from the Commissioners of Accounts:

OFFICE OF THE COMMISSIONERS OF ACCOUNTS,  
32 CHAMBERS STREET, NEW YORK, June 10, 1875.

To the Honorable the Board of Aldermen:

GENTLEMEN—We herewith transmit a report made by Commissioner Howe (to whom the matter was referred), in compliance with a resolution passed by your Honorable Body, on May 20, 1875.

Respectfully,

JOHN J. WESTRAY, } Commissioners  
JOHN WHEELER, } of Accounts.

OFFICE OF THE COMMISSIONERS OF ACCOUNTS,  
32 CHAMBERS STREET, NEW YORK, June 9, 1875.

To the Commissioners of Accounts:

GENTLEMEN—The Board of Aldermen by a unanimous vote adopted the following resolution on May 20, 1875:

"Resolved, That his Honor the Mayor be and he is hereby requested to instruct the Commissioners of Accounts to report to this Board a statement in detail of the several amounts of moneys paid respectively to the several Commissioners of the Central Park, or of the Department of Public Parks and the Landscape Architect, or for their benefit, or as salary, or as expenses incurred or allowed, or for any purpose from the date of the organization of the Department up to and including December 31, 1874, with references to the laws or to the resolutions of the Board authorizing or claimed to authorize the same."

As required by this resolution, and acting pursuant to the authority conferred upon me by the Charter of the city, I have made the investigation directed, and report the result thereof as follows:

First.—The statute, chapter 771 of the Laws of 1857, entitled "An act for the regulation and government of the Central Park in the City of New York," passed April 17, 1857, provided that the Commissioners of the Central Park should consist of a Board of Management of eleven (11) persons, three of whom should constitute a quorum for the transaction of business. Section 3 of this statute named the first Board of Commissioners.

Another statute, chapter 349 of the Laws of 1859, declares that the Board of Commissioners of the Park should consist of not less than seven or more than eleven persons, and that the office of any Commissioner who should not attend the meetings of the Board for three successive months after being duly notified of said meetings, without reasons satisfactory to said Board, or without leave of absence from said Board, might, by said Board, be declared vacant.

A change in the Park management was affected by the Charter of the city, passed April 5th, 1870. By this statute a Department of Parks was created as part of the governmental agency of the city, and to this Department was transferred the control and management of all public parks and places of the city. The head of the Department of Parks consisted of a Board of five members, appointed by the Mayor.

The statute, chapter 300, Laws of 1874, reduced the number of the Commissioners of the Parks to four.

The following table shows the date of the appointment of each of the Commissioners of Parks, the name of each Commissioner, the date each resigned or was removed, and the period during which each served:

DATE OF APPOINTMENT.	NAME.	WHEN RESIGNED OR REMOVED.	PERIOD OF SERVICE.
April 17, 1857	James E. Cooley.....	Resigned January 5, 1858.....	8 mos. and 5 days.
17, "	Robert J. Dillon.....	" October 21, 1858.....	1 yr. 6 mos. and 4 days.
17, "	James Hogg.....	" April 21, 1859.....	2 yrs. and 4 days.
17, "	Charles W. Elliott.....	" April 5, 1860.....	2 yrs. 11 mos. & 19 days.
17, "	John A. C. Gray.....	" February 3, 1862.....	4 yrs. 9 mos. & 18 days.
17, "	William K. Strong.....	Declared vacant Feb. 3, 1862.....	4 yrs. 9 mos. & 18 days.
17, "	Charles H. Russell.....		
17, "	J. F. Butterworth.....	Legislated out of office by } charter passed April 5, } 1870.	12 yrs. 11 mos. & 18 days.
17, "	Waldo Hutchings.....		
17, "	Thomas C. Fields.....		
17, "	Andrew H. Green.....		
March 16, 1858	August Belmont.....	Declared vacant Feb. 3, 1862.....	3 yrs. 10 mos. & 18 days.
April 21, 1859	R. M. Blatchford.....	Legislated out of office by } charter passed April 5, } 1870.	10 yrs. 11 mos. & 15 days.
May 5, 1859	Henry G. Stebbins.....		10 yrs. and 11 mos.
April 5, 1860	Moses H. Grinnell.....		10 yrs.
April 13, 1870	Peter B. Sweeney.....	Resigned November 22, 1871.....	1 yr. 7 mos. and 9 days.
13, "	Henry Hilton.....	Resigned November 22, 1871.....	1 yr. 7 mos. and 9 days.
14, "	Thomas C. Fields.....	Office declared vacant by } Mayor Havemeyer. } Legislated out of office by } charter of 1873.	2 yrs. and 9 mos.
16, "	Andrew H. Green.....		3 yrs. and 14 days.
May 24, "	Robert J. Dillon.....	Died December 3, 1872.....	2 yrs. 6 mos. and 9 days.
Nov. 22, 1871	Henry G. Stebbins.....	Resigned May 28, 1872.....	6 mos. and 6 days.
22, "	Frederick E. Church.....	Legislated out of office by } charter of 1873.	1 yr. 5 mos. and 8 days.
May 28, 1872	Frederick Law Olmsted.....	Resigned October 23, 1872.....	4 mos. and 25 days.
Oct. 23, "	Henry G. Stebbins.....	Still in office.....	
Dec. 3, "	R. M. Blatchford.....	Legislated out of office by } charter of 1873.	4 mos. and 28 days.
Jan. 13, 1873	Salem H. Wales.....		107 days.
May 22, "	Salem H. Wales.....	Resigned June 1, 1874.....	1 yr. and 10 days.
22, "	Philip Bissinger.....	Resigned January 2, 1875.....	1 yr. 7 mos. and 11 days.
June 12, "	David B. Williamson.....	Still in office.....	1 yr. 6 mos. and 19 days.
19, "	Samuel Hall.....	Term expired May 1, 1874.....	10 mos. and 12 days.
1, 1874	Thomas E. Stewart.....	Term expired May 1, 1875.....	11 mos.
Jan. 2, 1875	William R. Martin.....	Still in office.....	
May 1, "	Joseph J. O'Donohue.....	Still in office.....	

Second.—In and by the statute, chapter 771 of the Laws of 1857, which created the first Board of Commissioners of the Central Park, it is specially enacted that the Commissioners "shall receive no compensation for their services; each Commissioner shall, nevertheless, be entitled to be reimbursed the amount of his personal expenses in visiting and superintending the Park not exceeding the sum of three hundred dollars per annum."

On May 10, 1858, Andrew H. Green was elected President and Treasurer, and continued to hold these offices until May 9, 1859.

On January 14, 1859, a memorial to the Legislature, prepared by Mr. Green, was submitted to the Commissioners at a meeting of the Board held that day, which was adopted and directed to be printed and transmitted to the Legislature. This memorial contained the following clause: "None of the Commissioners now receive any compensation. It is clearly apparent from the experience of the past two years that your memorialists should have power to provide a reasonable compensation for its President and Treasurer somewhat corresponding with the labor performed in these offices."

The records of the Commission show that there went to Albany at the expense of the Commission to obtain legislative authority, giving to the Commission the power desired in the memorial, the following Commissioners: John A. C. Gray, Wm. K. Strong, Chas. W. Elliott, J. F. Butterworth, and Andrew H. Green, assisted by Geo. M. Van Nort, the Clerk of the Commission, and James B. Nicholson.

The mission of these Commissioners and assistants to Albany was successful, for a law was passed April 15, 1859, being chap. 349, Laws of 1859, by which it was enacted, amending the Law of 1857, that no member of the Board of Commissioners of the Park "shall receive any compensation for his services except the President or Treasurer; but each Commissioner shall, nevertheless, be entitled to receive for his personal expenses in visiting and superintending the park, a sum not exceeding three hundred dollars per annum."

This statute contains the only provision as to the payment the Commissioners of the Park were entitled to receive, until the passage of the Tax Levy Act of 1870, being chapter 383 of the Laws of that year, which enacts, section 15: "No member of the Board of the Department of Public Parks shall receive any salary or other compensation for his services in any capacity, connected with said Department."

A further change in the law on this subject was effected by chapter 290 of the Laws of 1871, which enacted, section 12: "No member of the Board of Commissioners of the Department of Public Parks shall be entitled to receive any compensation for his services, except that the Treasurer of said Board shall, from the date of his appointment as such, be entitled to receive such compensation as said Board shall designate and allow, not exceeding the amount paid by the late Board of Commissioners of the Central Park to the Treasurer thereof."

Still another change in the law was enacted by the Charter of 1873, section 116 of which provides as a salary "To the President of the Department of Parks, six thousand five hundred dollars."

"To the Commissioners of Parks, other than the President, nothing."

These several statutory provisions divide into five distinct periods the rates or allowances which could be lawfully paid to the Commissioners.

1st. From April 30, 1857, to April 15, 1859.

During this period no Commissioner was entitled to any compensation for his services; only, each Commissioner was entitled to be reimbursed the amount of his personal expenses in visiting and superintending the Parks, not exceeding three hundred dollars per annum.

2d. From April 15, 1859, to April 26, 1870.

During this period the President or Treasurer, were entitled to be paid for their services. No other Commissioner was entitled to a salary; but each Commissioner was entitled to receive for his personal services in visiting and superintending the Parks a sum not exceeding three hundred dollars per annum.

3d. From April 26, 1870 to April 5, 1871.

During this period no member of the Board was entitled to receive any salary or other compensation for his services in any capacity connected with said Department.

4th. From April 5, 1871, to April 30, 1873.

During this period the Treasurer who was required to be a member of the Board of Commissioners, was the only Commissioner entitled to receive compensation, and he was to be paid for his services, from the date of his appointment as Treasurer, such sum as the Board should designate, not exceeding the amount paid during the period second (2d) above specified to the Treasurer of the then Commission.

5th. From April 30, 1873.

Since this date the President of the Board is alone entitled to be paid for his services as Commissioner, \$6,500 per annum. No other Commissioner was entitled to be paid any compensation whatever.

Third.—During the period first above specified, namely, from April 30, 1857, to April 15, 1859, no sums were drawn by or paid to any of the Commissioners of the Parks. This is peculiar.

The law of 1857 expressly provided that each Commissioner was entitled to no compensation, but only to be reimbursed the amount of his personal expenses in visiting and superintending the Park, not exceeding the sum of three hundred dollars per annum. There is in the records of the Department no voucher or document showing the amount of the personal expenses incurred by any of the Commissioners in visiting and superintending the Park, and for which they were entitled to be reimbursed.

According to the law in force during these two (2) years, before a Commissioner was entitled to demand or receive one cent of the Park Funds in the name of personal expenses, he was bound to show what these expenses were and when they were incurred; and it is only the amount thus shown, the Commissioner, according to the law, was entitled to be reimbursed. He was not entitled to the full three hundred dollars per annum without reference to the fact whether he had personally superintended the Park and incurred expense in so doing. It was only his expenses which he did incur in actual visitation that he was entitled to receive, within the limit of three hundred dollars per annum. If no expenses were incurred there was no claim to reimbursement, and no Commissioner was entitled to demand what he had not previously incurred.

As explained, the Commissioners obtained an amendment of the law as to compensation. This amendment, while allowing a salary to be paid to the President or Treasurer, altered the law as to the three hundred dollar allowance for visitations by striking out the words in the Law of 1857 as to reimbursing the Commissioners the expenses which they incurred, and—declaring, in lieu of this proviso, that each Commissioner was "entitled to receive for his personal expenses in visiting and superintending the Park a sum not exceeding three hundred dollars per annum."

This enactment was passed April 15, 1859. It had no retroactive effect, but the Commissioners proceeded to act upon it as if this had been the law from 1857, and without any reference to the fact, whether they had incurred any personal expenses or not in visiting and superintending the works, each Commissioner commenced to draw at the rate of three hundred dollars as from the date of the original enactment of 1857, and these payments were continued down to the close of the period second above specified (April 26, 1870), and included payments for the period first above specified, commencing April 17, 1857.

These payments, of three hundred dollars annually to each Commissioner, were the only sums paid to any of them, except such of the Commissioners as held office as President or Treasurer, and for payments made for absence from the city, for visiting Albany, and, in one instance, to Mr. Commissioner Green in visiting Europe.

Fourth.—When the law authorizing the payment of a salary to the President or Treasurer of the Commission was passed (April 15, 1859), Mr. Andrew H. Green held the office of President, and also the office of Treasurer.

On May 9, 1859, Mr. Green resigned the office of Treasurer, when Commissioner Charles W. Elliott was elected, and Mr. Elliott continued to act as Treasurer, from that date, until October 6, 1859. On this latter date (October 6, 1859), Mr. Andrew H. Green was again elected Treasurer, and on October 8, 1859, he resigned his position as President of the Commission.

Mr. Green continued to hold the office of Treasurer, from the date of this last election, until the Commission was superseded by the Charter of 1870.

The Board, on October 6, 1859, resolved that the late Treasurer, Mr. Elliott, be paid, for the period of his services as such, at the rate of three thousand dollars per annum.

Mr. Elliott received on Nov. 3, 1859, the sum of twelve hundred and thirty-three dollars, being the full amount allowed to him by said resolution.

At the same meeting of the Board, Oct. 6, 1859, Mr. Commissioner Blatchford moved that the salary of the Treasurer elect—Mr. Green—should be fixed at five thousand dollars per annum. This resolution Mr. Blatchford subsequently withdrew, and at that meeting no action was taken fixing the salary of Mr. Green as Treasurer.

On November 17, 1859, Mr. Commissioner Stebbins submitted to the Board a resolution as follows:

"Resolved, That the Treasurer be paid a salary of five thousand dollars from the date of his last election."

This resolution was adopted.

On April 14, 1860, Mr. Green drew twenty-five hundred (\$2,500) dollars, being his salary as Treasurer from October 6, 1859, the date of his last election, to April 6, 1860.

This was at the rate of five thousand dollars per annum, and in accordance with the resolution of Mr. Commissioner Stebbins.

In addition to this sum, so far as appears from the records of the Commission, without any authority from the Board, Mr. Green paid to himself a salary at the rate of \$5,000 per annum for the period he held the office as Treasurer, from the date of the passage of the statute, April 15, 1859, to May 9, 1859, when he resigned as explained, and Mr. Elliott was appointed Treasurer in his place, while Mr. Elliott, who succeeded him, received only a salary from the Board at the rate of \$3,000 per annum from May 9, 1859, to October 6, 1859.

Mr. Green continued to draw his salary as Treasurer at the rate of \$5,000 per annum down to February 1, 1865. On this latter date, at a meeting of the Board, Commissioner Blatchford offered a resolution, which was adopted, in the following terms:



"Resolved, That the salary of the Treasurer of the Board be fixed for the present at \$7,500 per annum, to date from the 1st day of January, 1865, and that the consideration of a suitable compensation for his past long and faithful services, and particularly during the period when no compensation could by law be afforded, be referred to a Special Committee of three."

On May 11, 1865, Commissioner Russell, from the Special Committee appointed pursuant to the foregoing resolution, reported that the Committee unanimously voted an appropriation of \$2,500, additional salary for the past two years, beginning with January 1, 1863, and ending with December 31, 1864, which report was accepted.

Whatever pretext may be made as to the recommendation in this special report, the simple significance and legal effect of the same was, that the Special Committee recommended that the Board, unauthorized, and in the face of the plainest law which could be enacted—the statute of 1859—present to Mr. Green, in addition to the salary which he received, pursuant to the authority of the statute, a gratuity of \$5,000 of the public funds, and this gratuity Mr. Green, without any authority of the Board, other than the simple acceptance of the report of the Committee, paid to himself, on May 18, 1865, out of the funds belonging to the Commission in his hands, or under his control as Treasurer.

The increased salary allowed by Commissioner Blatchford's resolution of February 1st, 1865, namely, \$7,500 per annum, Mr. Green received from January 1, 1865, to June 1, 1868.

On June 19, 1868, on motion of Commissioner Thomas C. Fields, the Board resolved that the subject of fixing a suitable compensation to Mr. Green, as Treasurer of the Board, to date from January 1, 1868 (Mr. Green had already been paid his salary as Treasurer to June 1, 1868), be referred to the Auditing Committee, with power. Immediately upon the adoption of this resolution, Commissioner Grinnell reported that the Auditing Committee unanimously voted to Mr. Green, as Treasurer, a salary of \$10,000 per annum, from January 1, 1868. Accordingly, on July 1, 1868, Mr. Green paid to himself the back pay thus voted to him, from January 1, 1868, in addition to the regular salary paid to him, as explained, during the first six months of that year. Apparently not content with the gratuity of \$5,000 which he received in 1865, and the increased pay of \$10,000 per annum, voted to him June 19, 1868, including the back pay from January 1 of that year, Mr. Green, with the further assistance of Commissioner Thomas C. Fields, obtained from the Auditing Committee of the Board a report, on July 11, 1868, that he, Mr. Green, be paid for the efficient services rendered by him as Treasurer in assisting the Board in carrying out the various duties imposed upon it by various acts of the Legislature, between January 1, 1865, and January 1, 1868, together with his services in compiling a history of the Park, the sum of \$7,500, in addition to his salary of \$10,000 per annum, allowed June 19, 1868.

No person, so far as I have been able to ascertain, ever saw or heard of this history of the Park, for which the Board thus resolved so liberally to reward Mr. Green. The resolution allowing him this gratuity was adopted by the Board July 11, 1868, and two days afterwards, namely, July 13, 1868, Mr. Green paid to himself this amount and filed his voucher for the same.

When it is recollected that the words of the statute are an express prohibition against any Commissioner receiving any salary or compensation for services, except for acting as President or Treasurer, and for these a regular salary was to be paid, it will be seen how unwarranted was the action of paying a Commissioner for writing a history of the Park, even if such service had been rendered by him.

Mr. Green continued to draw his salary as Treasurer at the rate of \$10,000, until he was removed from office by the Charter of 1870.

**Fifth.**—In addition to his salary as Treasurer paid to him as above explained, Mr. Green, on the day he retired from office as Treasurer of the Park Board, paid to himself the sum of \$2,777.46, which he claimed as statutory allowance at the rate of \$300 per annum, for visiting the Park. This statutory allowance was in addition to a sum of \$1,125.00, which he paid himself for a similar purpose on January 17, 1863. These two payments make a total of \$3,902.46 received by Mr. Green, being the full statutory allowance from April 17, 1857, to April 20, 1870. Considering the fact that for eleven years of the latter period, Mr. Green was paid as a salaried officer of the Commission, it is exceedingly doubtful if, during the period he received a salary, he was entitled to the statutory allowance of \$300 per annum. No voucher has been filed by him showing the particulars of the expenses which he may have been put to in visiting the Park, and whether these outlays amount to \$300 per annum during each of the thirteen years he received the statutory allowance, I am unable to say. There are connected with this matter of the statutory allowance paid by Mr. Green to himself, some facts which I have obtained from the records of the Department which show that those payments for at least eighteen months of this period amounted to an apparent fraud on the treasury. These facts are as follows: On November 21, 1868, Mr. Green purchased, at the expense of the Commission, a black mare, wagon, and harness, at a cost of \$755. This amount was paid out of the public funds. From the date of this purchase, until Mr. Green was legislated out of the Commission, April 20, 1870, the horse and wagon were used by him daily; the Commission paid for the keep of the horse, and furnished a driver who was paid two dollars per day out of the public funds for attending to the horse and driving Mr. Green. Thus, Mr. Green, the Treasurer of the Commission, purchases a horse, wagon, and harness, pays for the same out of the public funds, employs a man as a driver, to whom he pays out of the public funds two dollars per day; purchases and pays for the feed out of the public funds;—the entire cost for the horse, wagon, driver's services, and keep of horse, including the shoeing, being \$2,087.00; and in the full knowledge of these facts, he, on the day he retires from the Commission, without the authority or approval of a single Commissioner, pays himself at the rate of \$300 per annum, on the pretext that he had been put to expense personally in visiting and superintending the Park.

**Sixth.**—Upon the day (July 11, 1868) that there was passed successfully through the Board the resolution that Mr. Green should be paid \$7,500 for services for which he had already been paid, and for the additional service of compiling a history of the Park (which history, so far as I can learn, never was compiled). Mr. Commissioner Thomas C. Fields submitted a resolution to the Board, which was adopted, as follows:

"Resolved, That leave of absence is hereby granted to A. H. Green, Esq., Treasurer of the Board, for the space of not exceeding ninety days, for the purpose of visiting Europe, if he so desires."

This resolution is the only record on the files of the Department as to Mr. Green's proposed visit to Europe.

The resolution does not hint or suggest that the proposed visit was at the desire of the Commission or for any purpose connected with the Commission. There was no direction to Mr. Green that he should go to Europe, and there are no duties assigned to him which he was to perform if he did go. The resolution is a mere permission that Mr. Green should have leave of absence, if he desired it, for ninety days, and that this period he might spend in Europe or elsewhere (that being a question to be determined solely by him, and with which, apparently, the Commission had no concern whatever). It appears Mr. Green did go to Europe, at least I infer so from the fact—(1.) That between August 3 and October 8, 1868, there was no meeting of the Board held; (2.) That at a meeting on January 14, 1869, Commissioner Thomas C. Fields submitted a resolution, which was adopted by the Board, as follows:

"Resolved, That the question of paying the expenses of Mr. Green's visit to Europe be referred to the Auditing Committee, with power. The Auditing Committee consisted of Fields himself and Mr. Grinnell, and Mr. Fields from this Committee reported in April, 1869, in favor of paying Mr. Green's expenses to Europe to the amount of \$1,600."

(3.) On June 19, 1869, Mr. Green drew a check for this amount to his own order, and filed a voucher for the amount paid to himself. He also drew his salary as Treasurer at the rate of \$10,000 per annum during the period of his absence.

**Seventh.**—Although the statutes of 1857 or 1859 prohibited all compensation under any guise whatever being made to any Commissioner out of the public funds, except a salary to the President or Treasurer, and the statutory allowance not exceeding \$300 per annum to each Commissioner for visiting the Park, the Board disregarding this plain prohibition, at a meeting held February 11, 1869, adopted the following:

"Resolved that the house on the Great Hill be appropriated to the use of the Comptroller of the Central Park, and that the sum of \$2,500 be and is hereby appropriated for putting the said building in order."

The Comptroller of the Central Park was a name given in the By-laws to the Treasurer of the Park, and the resolution therefore refers to Mr. Green, the Treasurer, ex-officio Comptroller of the Park.

Immediately on the adoption of this resolution Mr. Green commenced operations on the house on Great Hill.

Under his direction this house was entirely remodelled—a new story was added, the roof was reslated, new range, boiler and water-pipes were introduced, a new tank was put in the attic, and a new piazza was erected in front. The house was entirely replastered and newly papered, black walnut book-cases purchased and placed in the library, and, in Mr. Green's hands, these various operations and purchases exceeded the original appropriation to cover the cost by the sum of \$11,260.73. The appropriation was \$2,500, and the cost paid \$13,760.73.

**Eighth.**—During the period of the Commission, from 1859 to 1870 inclusive, Mr. Green was represented in Albany each year, obtaining legislation investing himself and the Commission with increased powers. The Albany expenses of Mr. Green and his representatives during this period exceeded \$10,000, which were paid out of the public funds by Mr. Green.

**Ninth.**—After the passage of the Charter of 1870 Mr. Henry Hilton was appointed Treasurer by the Board of the Department of Parks, and continued to act as such from the date of his appointment, June 7, 1870, to the date of his resignation, November 22, 1871. As authorized by section 12, chapter 290, Laws of 1871, the Board fixed the salary as Treasurer of the Department at \$10,000 per annum, and this sum Mr. Hilton received. On Mr. Hilton's retirement from the Board, Mr. Henry G. Stebbins was elected Treasurer, and Mr. Stebbins received his salary as such at the rate of \$10,000 per annum down to June 30, 1872, when he resigned. On Mr. Stebbins' resignation, Mr. Fred. Law Olmsted was elected Treasurer, and a salary was paid to him as such at the rate of \$10,000 per annum from July 1, 1872, to October 23, 1872, when he resigned as Commissioner.

Although it is apparent, from sec. 12 of chap. 290 of the Laws of 1871, that the Treasurer of the Board should be a member of the Board of Commissioners, Mr. Green, who was a member of the

Board, and at the same time Comptroller of the City, on November 2, 1872, secured the election of F. W. Whittemore, one of the employees of the Department of Finance, to be Treasurer of the Park Board, at a salary of \$7,500 per annum, to date from October 24, 1872. This salary Mr. Whittemore continued to receive until he was legislated out of office by the Charter of 1873. Pursuant to the authority of sec. 116, of the Charter of 1873, Henry G. Stebbins was paid a salary as President of the Department, from the passage of the Charter to July 31, 1873, at the rate of \$6,500 per annum. Mr. Stebbins having resigned the Presidency, Mr. Salem H. Wales was elected his successor. Mr. Wales was paid as President at the rate of \$6,500, from August 31, 1873, to May 9, 1874, when he resigned, and Mr. Stebbins was re-elected, and has received his salary as such at the same rate, from May 9, 1874, to present date.

In violation of the provisions in the Charter of 1873, which declares specially that no Commissioner of the Parks, other than the President, was entitled to any salary or compensation for his services, the Board authorized, and the Comptroller paid to D. B. Williamson a salary as Treasurer, for the months of September, October, November, and December, 1873, at the rate of \$4,000 per annum.

**Tenth.**—The Landscape Architects of the Park have been Mr. F. L. Olmsted and Mr. Calvert Vaux.

**Eleventh.**—The sums paid to or for the benefit of each Commissioner, and to each of the said Landscape Architects, as salary, or for any other purpose, from the date of the organization of the first Commission, April 17, 1857, to December 31, 1874, are as follows:

ANDREW H. GREEN, Treasurer.		Apr. 1.. " .....		833 33
1860.		Apr. 20.. " .....		555 54
				<b>3,055 33</b>
		Total.....		<b>\$34,564 80</b>
ANDREW H. GREEN, Commissioner.				
1863.				
Jan. 17..To cash, taken as statutory				
allowance of \$300 per				
year .....				\$1,125 00
1870.				
Apr. 20..To cash.....				2,777 46
				<b>3,902 46</b>
				<b>\$88,467 26</b>
JOHN F. BUTTERWORTH, Commissioner.				
1859.				
Apr. 16..To cash.....				\$600 00
1860.				
May 7..To cash.....				300 00
1861.				
Apr. 19..To cash.....				300 00
1862.				
May 1..To cash.....				300 00
1863.				
May 7..To cash.....				300 00
1864.				
Jan. 22..To cash.....				6 00
Sept. 27.. " .....				294 00
1865.				
Apr. 28..To cash.....				300 00
1866.				
Apr. 21..To cash.....				300 00
1867.				
Apr. 18..To cash.....				300 00
1868.				
Apr. 22..To cash.....				300 00
1869.				
June 29..To cash.....				300 00
1870.				
Apr. 20..To cash.....				302 46
				<b>\$3,902 46</b>
AUGUST BELMONT, Commissioner.				
1860.				
Dec. 28..To cash.....				\$4 00
1861.				
Jan. 28.. " .....				638 33
June 1.. " .....				296 00
				<b>\$938 33</b>
RICHARD M. BLATCHFORD, Commissioner.				
1860.				
July 10..To cash.....				\$300 00
1861.				
June 11..To cash.....				300 00
1862.				
May 1..To cash.....				300 00
1863.				
Sept. 16..To cash.....				300 00
1864.				
May 2..To cash.....				300 00
1865.				
Apr. 28..To cash.....				300 00
1866.				
Apr. 21..To cash.....				300 00
1867.				
Apr. 18..To cash.....				300 00
1868.				
Apr. 26..To cash.....				300 00
1869.				
Apr. 26..To cash.....				300 00
1870.				
Apr. 20..To cash.....				302 46
				<b>\$3,302 46</b>
CHARLES W. ELLIOTT, Commissioner.				
1859.				
Apr. 23..To cash.....				\$600 00
				<b>\$600 00</b>
CHARLES W. ELLIOTT, Treasurer.				
1859.				
Nov. 3..To cash from November 9,				
to October 6, 1859, at				
the rate of \$3,000 per				
annum.....				1,233 00
				<b>\$1,233 00</b>
THOMAS C. FIELDS, Commissioner.				
1859.				
Apr. 25..To cash.....				\$600 00
				<b>\$600 00</b>
1860.				
Apr. 23..To cash.....				300 00
				<b>300 00</b>
1861.				
Apr. 13..To cash.....				300 00
July 27.. " .....				75 00
Aug. 28.. " .....				25 00
Sept. 25.. " .....				25 00
Oct. 7.. " .....				25 00
Nov. 2.. " .....				25 00
Dec. 2.. " .....				50 00
				<b>525 00</b>
1862.				
Feb. 1..To cash.....				\$25 00
Feb. 24.. " .....				25 00
Apr. 10.. " .....				50 00
May 19.. " .....				15 00
June 16.. " .....				25 00
July 1.. " .....				10 00
Aug. 19.. " .....				25 00
Sept. 1.. " .....				45 00
Oct. 20.. " .....				25 00
Nov. 13.. " .....				15 00
Dec. 8.. " .....				20 00
				<b>280 00</b>
1863.				
Feb. 9..To cash.....				\$50 00
May 7.. " .....				45 00
May 30.. " .....				35 00
July 1.. " .....				50 00
Sept. 2.. " .....				25 00
				<







The Common Council, by an ordinance passed December 16, 1873, assumed to direct the Commissioner of Public Works to regulate, grade, set curb and gutter stones, flag sidewalks, and to construct the roadway or surface of certain streets and avenues bordering on the Morningside Park, and also the avenue known as the Riverside avenue. This ordinance was vetoed by the late Mayor Havemeyer on the 20th of December, 1873. In his message on this subject, he uses the following language:

"I also find that grave doubt exists as to who is the proper authority to order this work to be done, whether the Department of Public Parks, the Department of Public Works, or the Common Council. The laws in relation to the control over the avenues surrounding these parks have been changed so often, that arguments are not wanted which appear to give authority to each, and in such a state of uncertainty I do not feel justified in giving my approval to an ordinance which, if not properly passed, will vacate any assessment which may be laid under it, and thus add to the millions already burdened upon the city by doubtful legislation."

This veto message was accompanied by an opinion of the Counsel to the Corporation of same date. After a review of the subject the counsel states:

"Under these circumstances, and in view of the doubts that exist as to where the power is vested to do the work in question, and in view of the fact that the Legislature will meet in a few days, it seems to me that you should not, by approving this ordinance, expose the taxpayers of this city to the risk of having to pay a million of dollars to improve property in which they have no interest."

By reason of its illegality this ordinance was not adopted, yet the Common Council of this year, notwithstanding the above authoritative interpretation of the law against it, passed a resolution under date of April 8, 1875, which was approved by the present Mayor April 16, 1875, authorizing the streets and avenues adjoining the Morningside Park and Riverside Park to be regulated, etc., by the Department of Public Works, this being the same work embraced in the ordinance vetoed by Mayor Havemeyer, after full discussion and consideration of the law in the case.

On this work the Commissioner of Public Works employed the laborers, the pay of which is the subject of the inquiry of your Honorable Body.

Immediately after the passage of this resolution, April 22d, and before any considerable number of men had been employed, in order that persons might not be employed whom there was no authority to pay, the Comptroller addressed a letter of caution to the Commissioner of Public Works on this subject, and stated that grave doubt existed whether this Department would be authorized to raise money for the prosecution of the work under such authority. A copy of this letter is appended.

The Commissioner of Public Works made inquiry of the Counsel to the Corporation after the receipt of the letter of the Comptroller, in relation to this subject, and received a very elaborate opinion of the Counsel to the Corporation, under date of May 12, 1875, summing up the case in the following language:

"That before any work is done in the streets immediately adjacent to Morningside Park, or streets similarly located, application should be made to the Legislature to pass a statute which would remove all doubts as to the authority under which the work is to be done."

Notwithstanding the defect in the law, and the advice of the Counsel to the Corporation, workmen were employed upon the drive, on the westerly side of the Morningside Park, and the following payrolls for that work have been transmitted to this Department:

For two weeks ending May 1, 1875.....	\$1,468 52
" " " " 15, 1875.....	1,940 63
Total.....	\$3,409 15

Under all these circumstances the Comptroller has a plain duty to perform. Without clearly defined authority for the prosecution of any work, he cannot raise money to pay the expenses incurred. The law only authorizes the raising of money on assessment bonds, where assessments can be legally laid, and if doubt exists as to their legality, he cannot assume to issue the bonds, because no means are provided to pay them when they become due.

The Corporation Counsel, in a late opinion on this very work, says:

"I presume that I need not remind you that during the past few years several millions of dollars of assessments have been vacated under decisions of the Court of Appeals, and that in nearly every instance such assessments have been set aside, not on account of any substantial injury to the owners of the property assessed, but merely for some technical irregularity, of no practical importance."

The Commissioner of Public Works has by his action, contrary to the advice of the legal adviser of the city, contrary to the whole current of opinion, expressed by the late Mayor Havemeyer, by the present Mayor, by the Department of Public Parks, and by the Department of Public Works, up to the accession to office of the present Commissioner, as shown by the late Commissioner's efforts to get the law on this subject amended—engaged in this work, and employed the labor of men to perform it without the authority of law. I see no way but to leave it to him to deal with the subject as best he can until the Legislature shall give authority to prosecute this work. I cannot pay these men. The law gives me no authority to do it, or money or means of raising money with which to do it. The Commissioner of Public Works was fully warned of the difficulty toward which he was drifting before he employed these men. There has been quite enough of unauthorized proceedings of officers of the city government, involving large expenditure of money, through ignorance or design, leading laborers and others into difficulties, and then leaving the Comptroller to get them out, and to bear the criticisms incurred by delays in payment, which were wholly occasioned by others. Justice to the laborers, as well as fidelity to the law, requires that a stop should be put to this method of administration.

By no act of mine shall the city be burdened with further issues of assessment bonds, where no assessments can be levied to meet the obligations thus thrown upon the market.

Respectfully,  
AND. H. GREEN,  
Comptroller.

FINANCE DEPARTMENT—COMPTROLLER'S OFFICE, }  
CITY OF NEW YORK, April 22, 1875. }

To the Commissioner of Public Works:

SIR—Herewith I inclose a copy of a resolution printed in the CITY RECORD, adopted by the Board of Aldermen April 8, and approved by the Mayor April 16, 1875, authorizing the improvement of the avenues and streets adjacent to the Morningside Park.

I call your attention to the provisions of law relating to this proposed work. By section 73 of the Charter, jurisdiction and authority are conferred upon the Department of Public Works "in relation to the construction of the Boulevard (road or public drive), streets, avenues, and roads above Fifty-ninth street, not embraced within the limits of or immediately adjacent to any park or public place."

The jurisdiction and power of the Department of Public Works are therefore restricted in relation to the construction of the avenues and streets adjacent to the Morningside Park, and I know of no authority vested in the Common Council to confer them upon the Department of Public Works, under which the work of construction could lawfully be performed by the latter Department.

Grave doubts therefore exist whether this Department would be authorized to raise money to pay for expenditures on the proposed work on the requisition of the Department of Public Works, if proceeded with under such authority.

Very respectfully,  
ANDREW H. GREEN,  
Comptroller.

Which was referred to the Committee on Law Department.

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

FINANCE DEPARTMENT—COMPTROLLER'S OFFICE, }  
CITY OF NEW YORK, June 10, 1875. }

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

In the minutes of the proceedings of your Honorable Body, printed in the CITY RECORD, May 21, 1875, is the draft of an ordinance entitled "An ordinance directing the mode of rendering accounts by the several Departments and offices of the City of New York," transmitted for your consideration by his Honor the Mayor, together with a communication relating to said proposed ordinance received by him from the Commissioner of Public Works.

Fully appreciating the value of the service rendered by the Department of Public Works in preparing and submitting an ordinance which chiefly concerns the Finance Department, I think it proper to submit some views in respect to this matter, as to the law and the facts, which may perhaps be of some utility to your Honorable Body in coming to a correct conclusion.

The apparent design of the ordinance is to establish a mode of rendering accounts to the Finance Department, under a system of triplicate vouchers for work done and supplies furnished, by all the Departments, offices, boards, and commissions of the city and county government, instead of the single voucher system, which has long been and is now in general use in every Department of the city government, with the exception of the Department of Public Works, in which Department alone it was introduced by an ordinance of the Common Council adopted in 1859 (Revised Ordinances, 1866, sec. 9, art. 2, chap. 4.)

The Commissioner of Public Works proposes to make this radical and quite impracticable change in the method of rendering all the accounts of all the Departments of the city government, with many of which, of course, he has nothing whatever to do, with total disregard to the express provisions of law relating to the subject, and assigns reasons therefor in his communication accompanying the ordinance submitted by him, which are wholly without solid foundation.

He states that "The system of (triplicate) responsibility which this ordinance (of 1859) establishes

and experience approve, will be crippled, if not destroyed, by the enforcement of the single voucher system policy now demanded by the Comptroller."

The all sufficient answer to this statement is, that in all other city Departments, except the Department of Public Works, experience shows that responsibility is not "destroyed" or even "crippled" by the single voucher system.

The Commissioner of Public Works says: "Without these triplicate checks the best reputation could be greatly tarnished, if not ruined, by an unscrupulous employee, if one such should be employed."

I am not aware that the reputation of any Commissioner of any other Department or office of the city government has been "ruined or even tarnished" by rendering accounts to the Finance Department under the single voucher system.

To illustrate and enforce his views of the danger of the single voucher system and the necessity for triplicate vouchers, reference is plausibly made to a notorious matter which really has no significance or application in the case whatever. He says: "Their propriety and usefulness will be apparent by recalling to mind the disappearance in a notable instance, from the Comptroller's office, of certain county records of which there were no duplicates or triplicates in existence."

While it is true that there were no duplicates or triplicates of the vouchers feloniously abstracted from the County Bureau, it is quite overlooked that they were not vouchers of any Department or office of the city, prepared from the books and records kept therein, but merely fraudulent bills certified by dishonest officials under the authority of a special law, and audited, allowed and paid through collusion. They were abstracted because they were original papers and evidences of fraudulent transactions. No such thing has ever happened with regular Department vouchers made up and certified from official books and records; the broad application made of this exceptional case of fraud which was devised and accomplished by dishonest officials, is, therefore, entirely inadmissible in defense of the triplicate voucher system. Dishonest men can and do commit frauds under any system of keeping and rendering public accounts.

The Commissioner of Public Works also submits certain documents, marked "A," "B," and "C," in support of his views. The charge he makes against the Finance Department in this connection is the result of misinformation or misunderstanding of the facts. The total amount of Thomas L. Butler's claim, referred to in Schedule "C," was for the sum of \$460, and so audited and paid, as expressed upon its face. Referring to Schedule "B," he says:

"It is hereby plain, that through the negligence or carelessness of employees in the Comptroller's office, receipts were taken by the Comptroller for moneys never paid out by him."

The statement is quite preposterous, but it is proper to explain the facts in connection with so gross a misapprehension. The Schedule "B" referred to is "a statement of deductions made in the Department of Finance on sundry bills of the Westchester Gas-light Co.;" and the amount shown therein for which it is represented, "receipts were taken by the Comptroller for moneys never paid out by him," is \$43.49. The Commissioner of Public Works confounds an "excess" of deductions made in some of the bills through miscalculations of the true amounts which should have been deducted, with an excess in the receipts taken by the Comptroller. The fact is that the amounts of the receipts and the amounts of the warrants were for exactly the amounts of the bills after the deductions were made, as shown by the following statement corresponding to Schedule "B" of the bills and payments:

DATE OF PAYMENT.	Finance Department, Number of Voucher.	Amount of Bill Allowed.	Amount of Warrant Paid.	Amount of Receipt.
January 16, 1875.....	2330	\$5,863 00	\$5,863 00	\$5,863 00
" 16, ".....	2331	5,847 67	5,847 67	5,847 67
" 16, ".....	2332	5,848 95	5,848 95	5,848 95
" 16, ".....	2333	5,852 50	5,852 50	5,852 50
" 16, ".....	2334	5,759 50	5,759 50	5,759 50
" 16, ".....	2335	5,664 77	5,664 77	5,664 77
" 16, ".....	2336	5,661 11	5,661 11	5,661 11
" 16, ".....	2337	5,659 83	5,659 83	5,659 83
" 16, ".....	2338	5,712 10	5,712 10	5,712 10
" 19, ".....	2385	5,643 40	5,643 40	5,643 40
" 19, ".....	2386	5,668 66	5,668 66	5,668 66
" 26, ".....	2966	5,750 43	5,750 43	5,750 43
Totals.....		\$68,931 92	\$68,931 92	\$68,931 92

The original reason for introducing the triplicate voucher system into the Street Department is now unknown, but the effect is very obvious. Many more officers and clerks are required to perform the business than with the single voucher system.

There is in fact no practical protection to the treasury against fraud, or facility in the transaction of the business of the city by the triplicate voucher system.

As to the legal authority vested in the Finance Department to regulate all city accounts, there can be no doubt. The Counsel to the Corporation has carefully considered this question, and in elaborate opinions addressed to the Finance Department and the Department of Public Works, on the 14th of April and the 5th May, 1875, respectively, has effectually disposed of it.

In his opinion of April 14 he says:

"After a careful consideration of the questions submitted by you, I am of the opinion that the Department of Finance has the power to dispense with such triplicate vouchers."

Having cited the various authorities of law upon which he bases this conclusion, he further says: "In view of these express provisions authorizing the Fire Department to prescribe the forms of keeping and rendering all city accounts, and that vouchers for all expenditures should be filed in the office of the Comptroller, I am somewhat at a loss to understand the origin of the provision above referred to of triplicate vouchers, which, as above stated, is first found in the Revised Ordinances adopted in 1859. It appears from the ordinance itself that the triplicate vouchers were to be disposed of by filing the same; one in the office of the Comptroller; one in the office of the Street Commissioner; and one in the office of the Bureau under whose superintendence the expenditure was incurred."

"Without undertaking to determine what may have been the motives that led to the adoption of this ordinance (in 1859), it seems to me quite clear that it would have been in the power of the Comptroller, even under the Charter of 1857, to disregard the ordinance and dispense with the triplicate vouchers. The Common Council was, of course, authorized by that Charter to adopt ordinances for the general regulation and management of the Street Department; but it could not adopt any ordinance which should be in direct conflict with the provisions of the statute itself."

He says, also, in his letter to the Department of Public Works of May 14, that—

"I do not think it admits of question that, under the existing provision of the Charter of 1873, authorizing the Comptroller to prescribe the forms of keeping and rendering all city accounts, he may lawfully dispense with triplicate vouchers and direct that the single voucher be rendered in each case."

Notwithstanding these and other clear and positive expositions of the law, the Commissioner of Public Works assumes to be the judge, and under a construction of his own which repudiates the purpose and spirit of all the provisions of past legislation upon the subject, and practically disposes of the authority of the Comptroller on the subject. He limits "the right to regulate the form of vouchers required by him," but says:

"Whether the construction of the Charter be right or wrong, is not just now pertinent to my purpose. The Comptroller believes his construction to be right, and acts upon his belief. I believe it wrong, and certainly unsafe, right or wrong."

The Commissioner of Public Works therefore submits an ordinance which shall give him the color of authority for the triplicate voucher system.

Referring to a clause in the Charter (section 90) he assumes "It is in the power of the Common Council to provide a remedy in such cases, and to obviate all possibility of misconception, or a variety of constructions of the law in this respect."

The provision referred to only confirms the power conferred upon the Common Council by previous charters, to adopt ordinances for "a general regulation and management of the city Departments," but in regard to the extent of this authority the Counsel to the Corporation distinctly declares its limitations in his letter of May 5th to the Department of Public Works, as follows:

"While the ordinances are continued in force by the Charter of 1873, they must in all cases be interpreted in connection with the acts of the Legislature relating to the city, passed since the year 1857, and that whenever there is any conflict between the ordinances and the statutes, the statutes must prevail."

A new ordinance, itself conflicting with the statute, can hardly "provide a remedy and obviate all possibility of misconception of the law in this respect."

Respectfully,  
AND. H. GREEN,  
Comptroller.

Which was referred to the Committee on Law Department.

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

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, }  
CITY OF NEW YORK, June 10, 1875. }

To the Honorable the Board of Aldermen:

I observe by the proceedings of your Honorable Body, published in the CITY RECORD on the 4th instant, that his Honor the Mayor has transmitted a petition of certain owners of property in the



Dated NEW YORK, June 12, 1875.



DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, June 14, 1875.

**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 New York City Asylum for Insane, Ward's Island June 10, 1875—Neil Paulson; age 43 years; 5 feet 10 inches high; gray hair and eyes. Had on gray mixed pants, white shirt. This patient was transferred from Emigration Department, July 1, 1874. There has been no person to visit him, nor could any information be obtained of his friends or relatives. No effects found on his person.

By Order, **JOSHUA PHILLIPS,**  
Secretary.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, June 12, 1875.

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

At Morgue, Bellevue Hospital, from Pier 1, East river—Unknown man; age about 30 years; 5 feet 8 inches high; dark brown hair; reddish brown moustache; full beard. Had on black sack coat, black double breasted vest, gray cloth pants with patch on both knees, white shirt, two pair of stockings, boots with laces cut down to represent slippers. No effects found on his person.

Unknown man, from Pier 6, North river—Age about 30 years; 5 feet 9 inches high; gray hair. Had on gray shirt, brown mixed pants, elastic side shoes. No effects found on his person.

By Order, **JOSHUA PHILLIPS,**  
Secretary.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, June 10, 1875.

**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 New York City Asylum for Insane, Ward's Island—Henry J. Ramsey, alias Kometzi; age 40 years; 5 feet 10 inches high; black hair; brown eyes. The usual death notice was sent to the address of two friends. No effects found on his person.

By Order, **JOSHUA PHILLIPS,**  
Secretary.

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,  
CORNER OF THIRD AVENUE AND ELEVENTH ST.,  
NEW YORK, June 16, 1875.

**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 Penitentiary Hospital, Blackwell's Island, June 15, 1875—Julia Devoe, age 20 years. She has no relatives or friends.

At Morgue, Bellevue Hospital, June 15, 1875—From off Blackwell's Island, unknown man, about 50 years of age, 5 feet 9 inches high. Had on black frock coat, with raised stripes; dark corded vest; black diagonal corded pants; white bosom shirt; grey knit undershirt; blue cotton socks, with white tops and toes; elastic side shoes. On his person was found pocket-book and 73 cents. Body appeared to have been in water about four weeks.

By Order, **JOSHUA PHILLIPS,**  
Secretary.

## LEGISLATIVE DEPARTMENT.

OFFICE CLERK OF THE COMMON COUNCIL,  
No. 8 CITY HALL,  
NEW YORK, January 9, 1875.

**THE STATED SESSIONS OF THE BOARD** of Aldermen will be held in their Chamber, room No. 15, City Hall, on Thursday of each week, at 2 o'clock, P.M.

**SAMUEL A. LEWIS,**  
President.

**FRANCIS J. TWOMEY,**  
Clerk.

OFFICE CLERK OF COMMON COUNCIL,  
No. 8 CITY HALL,  
NEW YORK, January 9, 1875.

**NOTICE IS HEREBY GIVEN TO THE COMPTROLLER**, the Commissioner of Public Works, the Corporation Counsel, and the President of each Department of the City Government, pursuant to the provisions of section 5 of chapter 335, Laws of 1873, that the Board of Aldermen have designated Thursday of each week, at 2 o'clock P.M., as the time for holding the regular meetings of the Board.

The Board meets in Room No. 15, City Hall.  
**FRANCIS J. TWOMEY,**  
Clerk.

OFFICE CLERK OF THE COMMON COUNCIL,  
No. 8 CITY HALL,  
NEW YORK, January 20, 1875.

**NOTICE.—THE COMMITTEE ON STREET** Pavements of the Board of Aldermen will meet hereafter every Wednesday, at 2 o'clock P.M., in Room No. 9, City Hall, for the consideration of such subjects as may have been referred to the Committee.

**PETER SEERY,**  
**WM. H. MCCARTHY,**  
**CHESTER H. SOUTHWORTH,**  
Committee on Street Pavements.

**FRANCIS J. TWOMEY,**  
Clerk.

OFFICE CLERK OF THE COMMON COUNCIL,  
No. 8 CITY HALL,  
NEW YORK, April 6, 1875.

**THE COMMITTEE ON RAILROADS OF THE** Board of Aldermen will meet every Tuesday, at 2 P.M., in room No. 9, City Hall, for the consideration of such subjects as may have been referred for its action.

**ANDREW BLESSING,**  
**J. WILLIAM GUNTZER,**  
**HENRY E. HOWLAND,**  
Committee on Railroads.

**FRANCIS J. TWOMEY,**  
Clerk.

BOARD OF ALDERMEN,  
NEW YORK, February 4, 1875.

**THE COMMITTEE ON FERRIES WILL MEET** every Monday, at No. 9, City Hall, at 2 o'clock, for the consideration of all subjects referred to the consideration of the Committee.

**ROBERT POWER,**  
**JOHN REILLY,**  
**HENRY E. HOWLAND,**  
Committee on Ferries.

**F. J. TWOMEY,**  
Clerk.

BOARD OF ALDERMEN,  
NEW YORK, February 27, 1875.

**THE COMMITTEE ON FINANCE WILL MEET** hereafter every Wednesday, at 3 o'clock P.M., at No. 9 City Hall, for the transaction of such public business as may be referred to the Committee.

**MAGNUS GROSS,**  
**W. L. COLE,**  
**PATRICK LYSAGHT,**  
**S. B. H. VANCE,**  
**JOHN J. MORRIS,**  
Committee on Finance.

**FRANCIS J. TWOMEY,**  
Clerk.

**NOTICE.—THE COMMITTEE ON PUBLIC** Works of the Board of Aldermen will meet every Monday, at 3 P.M., in Room No. 9, City Hall, for the consideration of such subjects as may have been referred for its action.

**JOHN REILLY,**  
**EDWARD J. SHANDLEY,**  
**JOHN J. MORRIS,**  
Committee on Public Works.

**FRANCIS J. TWOMEY,**  
Clerk.

BOARD OF ALDERMEN,  
NEW YORK, January 30, 1875.

**THE COMMITTEE ON STREETS OF THE** Board of Aldermen will meet every Monday, at 2 o'clock, P.M., at No. 9 City Hall, for the transaction of such business as may be referred to the Committee.

**J. W. GUNTZER,**  
**PATRICK LYSAGHT,**  
**S. N. SIMONSON,**  
Committee on Streets.

**FRANCIS J. TWOMEY,**  
Clerk.

## THE CITY RECORD.

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

## DEPARTMENT PUBLIC WORKS.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE,  
ROOM NO. 19, CITY HALL,  
NEW YORK, June 15, 1875.

### TO CONTRACTORS.

**PROPOSALS INCLOSED IN A SEALED ENVELOPE**, with the title of the work and the name of the bidder endorsed thereon (also the number of the work as in the advertisement), will be received at this office until Tuesday, June 29, 1875, at 12 o'clock M., at which hour they will be publicly opened and read, for the following works:

No. 1. Sewer in Sixtieth street, between First avenue and Avenue A.

No. 2. Sewers in Eighth avenue, between Sixty-eighth and Eighty-first streets.

No. 3. Sewers in Eighth avenue, between Eighty-fifth and Ninety-second streets, with branches.

No. 4. Sewers in Eighth avenue, between Ninety-second and One Hundred and Fifth streets, with branches in Ninety-third and Ninety-sixth streets.

No. 5. Sewers in Ninety-sixth street, between Eighth and Tenth avenues, and in Ninth avenue, between Ninety-second and Ninety-sixth streets, with branches.

No. 6. Outlet sewer in One Hundred and Forty-seventh street, Eighth avenue, and One Hundred and Forty-fifth street, from Avenue St. Nicholas to Harlem river, with branches in Sixth avenue, between One Hundred and Forty-sixth and One Hundred and Forty-seventh streets; in Eighth avenue, between One Hundred and Forty-third and One Hundred and Forty-fifth streets; and in One Hundred and Thirty-seventh and One Hundred and Forty-first streets, between Eighth avenue and Avenue St. Nicholas.

No. 7. Alteration to sewer in Centre street, between Pearl and Canal streets.

No. 8. Underground drains between One Hundred and Forty-ninth and One Hundred and Fifty-second streets, and between Boulevard and Tenth avenue.

Blank forms of proposals, the specifications and agreements, the proper envelope in which to inclose the bids, and any further information desired, can be obtained on application to the Contract Clerk, at his office.

The Commissioner of Public Works reserves the right to reject any or all proposals, if in his judgment the same may be for the best interests of the City.

**FITZ JOHN PORTER,**  
Commissioner of Public Works.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE,  
ROOM NO. 19, CITY HALL,  
NEW YORK, June 12, 1875.

**OWNERS OF CLEAN EARTH LYING WITHIN** reasonable hauling distance of the areas bounded by Fifth avenue, Ninety-sixth street, Fourth avenue and One Hundred and Fifth street; by Fifth avenue, One Hundred and Fifth street; Third avenue and One Hundred and Ninth street; and by Third avenue, One Hundred and Sixth street, Harlem river, and One Hundred and Eighth street, who will give the earth to the city to aid in abating the nuisance within the above areas, are requested to give the Commissioner of Public Works the necessary authority, by the 21st instant, to remove the earth by city labor when he is empowered to do so.

**FITZ JOHN PORTER,**  
Commissioner of Public Works.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,  
NEW YORK, June 11, 1875.

### TO CONTRACTORS.

**PROPOSALS INCLOSED IN A SEALED ENVELOPE**, with the title of the work and the name of the bidder endorsed thereon (also the number of the work as in the advertisement), will be received at this office, until Wednesday, June 23, 1875, at 12 o'clock M., when they will be publicly opened and read, for the following works:

No. 1. Paving Lexington avenue, from Sixty-sixth to Seventy-fourth street, with Belgian pavement, and laying crosswalks at the intersecting streets and avenues, where required.

No. 2. Paving Twenty-ninth street, between First avenue and East river, with Belgian pavement, and laying crosswalks at the intersecting streets and avenues, where required.

No. 3. Paving Forty-third street, from First to Second avenue, with Belgian pavement, and laying crosswalks at the intersecting streets and avenues, where required.

No. 4. Paving Sixty-second street, between First avenue and Avenue A, with Belgian pavement, and laying crosswalks at the intersecting streets and avenues, where required.

No. 5. Paving Sixty-fourth street, between Second and Third avenues, with Belgian pavement, and laying crosswalks at the intersecting streets and avenues, where required.

No. 6. Paving the streets and roadways of West Washington Market with Belgian pavement.

Blank forms of proposals, the specifications and agreements, the proper envelope in which to inclose the bids, and any further information desired, can be obtained on application to the Contract Clerk, at his office.

The Commissioner of Public Works reserves the right to reject any or all proposals, if in his judgment, the same may be for the best interest of the city.

**FITZ JOHN PORTER,**  
Commissioner of Public Works.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,  
NEW YORK, June 11, 1875.

### TO CONTRACTORS.

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No. 3. Paving Forty-third street, from First to Second avenue, with Belgian pavement, and laying crosswalks at the intersecting streets and avenues, where required.

No. 4. Paving Sixty-second street, between First avenue and Avenue A, with Belgian pavement, and laying crosswalks at the intersecting streets and avenues, where required.

No. 5. Paving Sixty-fourth street, between Second and Third avenues, with Belgian pavement, and laying crosswalks at the intersecting streets and avenues, where required.

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No. 3. Paving Forty-third street, from First to Second avenue, with Belgian pavement, and laying crosswalks at the intersecting streets and avenues, where required.

No. 4. Paving Sixty-second street, between First avenue and Avenue A, with Belgian pavement, and laying crosswalks at the intersecting streets and avenues, where required.

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Commissioner of Public Works.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,  
NEW YORK, June 11, 1875.

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No. 4. Paving Sixty-second street, between First avenue and Avenue A, with Belgian pavement, and laying crosswalks at the intersecting streets and avenues, where required.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE,  
ROOM NO. 19, CITY HALL,  
NEW YORK, May 22, 1875.

**SIR—Take notice**, that I, Fitz John Porter, the Commissioner of Public Works, am of the opinion, and I do hereby certify the same in writing, that the work contracted to be done by you for regulating and grading in Forty-fourth street, between First avenue and Third avenue, under a contract made and entered into between you and the Mayor, Aldermen, and Commonalty of the City of New York, by Joseph S. Taylor, as Commissioner, on the 5th day of February, 1875; and the completion thereof is unnecessarily delayed, and that you are willfully violating the conditions and covenants of said contract; and that the work is not being done, and is not progressing according to the terms of said contract, and that the work contemplated by said contract has not been fully completed in the time named in said contract for its completion; and I hereby notify and require you to fully and entirely complete the work contracted to be done by you under the contract aforesaid, on or before the fifteenth day of June, 1875; and hereby notify and require you, on and after said fifteenth day of June, 1875, to discontinue all work under said contract, and the whole thereof, and from and after the day last aforesaid to remove all persons employed by you from said work; and that I, as Commissioner, will thereafter complete said work in the manner provided in such case by the statute, and in case the expense shall exceed the sum payable to you under said contract, the Mayor, Aldermen, and Commonalty will hold you and your securities responsible for such excess.

Dated New York, 22d day of May, 1875.

Yours, etc., **FITZ JOHN PORTER,**  
Commissioner of Public Works.

To **JOHN PETERKIN, Esq.,**  
Surety for Contractor for Regulating  
Forty-fourth street, First and Third avenues.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE,  
ROOM NO. 19, CITY HALL,  
NEW YORK, May 22, 1875.

**SIR—Take notice**, that I, Fitz John Porter, the Commissioner of Public Works, am of the opinion, and I do hereby certify the same in writing, that the work contracted to be done by you, for regulating and grading in Forty-fourth street, between First avenue and Third avenue, under a contract made and entered into between you and the Mayor, Aldermen, and Commonalty of the City of New York, by Joseph S. Taylor, as Commissioner, on the 5th day of February, 1875; and the completion thereof is unnecessarily delayed, and that you are willfully violating the conditions and covenants of said contract; and that the work is not being done, and is not progressing according to the terms of said contract, and that the work contemplated by said contract has not been fully completed in the time named in said contract for its completion; and I hereby notify and require you to fully and entirely complete the work contracted to be done by you under the contract aforesaid, on or before the fifteenth day of June, 1875; and hereby notify and require you, on and after said fifteenth day of June, 1875, to discontinue all work under said contract, and the whole thereof, and from and after the date last aforesaid to remove all persons employed by you from said work; and that I, as Commissioner, will thereafter complete said work in the manner provided for in such case by the statute, and in case the expense shall exceed the sum payable to you under said contract, the Mayor, Aldermen, and Commonalty will hold you and your securities responsible for such excess.

Dated New York, 22d day of May, 1875.

Yours, etc., **FITZ JOHN PORTER,**  
Commissioner of Public Works.

To **JOHN PETERKIN, Esq.,**  
Surety for Contractor for Regulating  
Forty-fourth street, First and Third avenues.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE,  
ROOM NO. 19, CITY HALL,  
NEW YORK, May 22, 1875.

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Dated New York, 22d day of May, 1875.

Yours, etc., **FITZ JOHN PORTER,**  
Commissioner of Public Works.

To **JOHN PETERKIN, Esq.,**  
Surety for Contractor for Regulating  
Forty-fourth street, First and Third avenues.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE,  
ROOM NO. 19, CITY HALL,  
NEW YORK, May 22, 1875.

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Yours, etc., **FITZ JOHN PORTER,**  
Commissioner of Public Works.

To **JOHN PETERKIN, Esq.,**  
Surety for Contractor for Regulating  
Forty-fourth street, First and Third avenues.

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COMMISSIONER'S OFFICE,  
ROOM NO. 19, CITY HALL,  
NEW YORK, May 22, 1875.

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ROOM NO. 19, CITY HALL,  
NEW YORK, May 22, 1875.

**SIR—Take notice**, that I, Fitz John Porter, the Commissioner of Public Works, am of the opinion, and I do hereby certify the same in writing, that the work contracted to be done by you, for regulating and grading in Forty-fourth street, between First avenue and Third avenue, under a contract made and entered into between you and the Mayor, Aldermen, and Commonalty of the City of New York, by Joseph S. Taylor, as Commissioner, on the 5th day of February, 1875; and the completion thereof is unnecessarily delayed, and that you are willfully violating the conditions and covenants of said contract; and that the work is not being done, and is not progressing according to the terms of said contract, and that the work contemplated by said contract has not been fully completed in the time named in said contract for its completion; and I hereby notify and require you to fully and entirely complete the work contracted to be done by you under the contract aforesaid, on or before the fifteenth day of June, 1875; and hereby notify and require you, on and after said fifteenth day of June, 1875, to discontinue all work under said contract, and the whole thereof, and from and after the date last aforesaid to remove all persons employed by you from said work; and that I, as Commissioner, will thereafter complete said work in the manner provided for in such case by the statute, and in case the expense shall exceed the sum payable to you under said contract, the Mayor, Aldermen, and Commonalty will hold you and your securities responsible for such excess.

Dated New York, 22d day of May, 1875.

Yours, etc., **FITZ JOHN PORTER,**  
Commissioner of Public Works.

To **JOHN PETERKIN, Esq.,**  
Surety for Contractor for Regulating  
Forty-fourth street, First and Third avenues.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE,  
ROOM NO. 19, CITY HALL,  
NEW YORK, May 22, 1875.

**SIR—Take notice**, that I, Fitz John Porter, the Commissioner of Public Works, am of the opinion, and I do hereby certify the same in writing, that the work contracted to be done by you, for regulating and grading in Forty-fourth street, between First avenue and Third avenue, under a contract made and entered into between you and the Mayor, Aldermen, and Commonalty of the City of New York, by Joseph S. Taylor, as Commissioner, on the 5th day of February, 1875; and the completion thereof is unnecessarily delayed, and that you are willfully violating the conditions and covenants of said contract; and that the work is not being done, and is not progressing according to the terms of said contract, and that the work contemplated by said contract has not been fully completed in the time named in said contract for its completion; and I hereby notify and require you to fully and entirely complete the work contracted to be done by you under the contract aforesaid, on or before the fifteenth day of June, 1875; and hereby notify and require you, on and after said fifteenth day of June, 1875, to discontinue all work under said contract, and the whole thereof, and from and after the date last aforesaid to



## POLICE DEPARTMENT.

PROPERTY CLERK'S OFFICE,  
POLICE DEPARTMENT OF THE CITY OF NEW YORK,  
NEW YORK, June 14, 1875.

**OWNERS WANTED BY THE PROPERTY**  
Clerk, 300 Mulberry street, room 39, for the following property, now in his custody, without claimants:  
One canal boat, found adrift in East river, named Willie H. Everitt, boats, rope, pig iron, trunk and contents, lot furniture, gold and silver watch, coats, vest, shawls, feathers, child's carriage, eight revolvers, and small amount of money taken from prisoners.  
C. A. ST. JOHN,  
Property Clerk.

## FIRE DEPARTMENT.

HEADQUARTERS  
FIRE DEPARTMENT, CITY OF NEW YORK,  
127 and 129 MERCER STREET,  
NEW YORK, June 10, 1875.

**SEALED PROPOSALS FOR FURNISHING THIS**  
Department with the following articles, to wit:  
50,000 lbs. of Hay of the quality and standard known as good sweet Timothy;  
15,000 lbs. of good clean Straw;  
600 bags White Oats, 80 lbs. to the bag;  
400 bags of Fine Feed, 60 lbs. to the bag;  
—all of which is to be delivered to the various company quarters, from time to time, and in such quantities as the Department may require—will be received at these Headquarters until 10 o'clock A. M., 23d instant, at which time the bids will be publicly opened and read.  
Two responsible sureties, residents of this city, will be required, who must each justify in the amount of one thousand dollars.  
Proposals must contain the price of each article, and must be indorsed, "Proposals for furnishing Forage."  
Blank proposals and information will be furnished upon application to these Headquarters.  
The Commissioners reserve the right to reject any or all the proposals submitted.

## DEPARTMENT OF DOCKS.

DEPARTMENT OF DOCKS,  
Nos. 117 and 119 DUANE STREET,  
NEW YORK, June 5, 1875.

## TO CONTRACTORS.

## PROPOSALS FOR FURNISHING FRESH BURNT ENGLISH PORTLAND CEMENT.

Sealed proposals for furnishing this material, endorsed as above, and addressed to "Salem H. Wales, President of the Department of Docks," will be received at this office until 11 o'clock A. M. of Monday, June 21, 1875, at which time the bids will be publicly opened and read. The award of the contract will be made as soon as practicable after the opening of the bids.  
Any bidder for this contract must be well prepared for the business, and shall give security for the faithful performance of his contract, in the manner prescribed and required by ordinance.  
The Cement required under the contract must be Fresh Burnt English Portland Cement, and fully up to the standard of the best brands imported, and average at least 4000 pounds gross weight to the barrel. No Cement will be received that shall have been ground or burnt for a longer period than one month prior to the date of the sailing of the vessel on which it is shipped, and the manufacturer's certificate of date of manufacture will be required with each delivery, and said date must be marked on each barrel with a stencil plate.  
The quantity to be delivered under the contract is 5,000 barrels, of which at least one-half will be required to be delivered to the Department within sixty days after the date of signing the contract, the delivery to commence within thirty days after said date; and the time allowed for the fulfillment of the contract will be three months from the date of its execution, and a penalty of fifty dollars per day, as liquidated damages, will be exacted for each day the contract may be unfulfilled after the said time has expired, Sundays and holidays only to be excepted.  
Bidders will state in the following proposals the price for each barrel of Cement, by which the bids will be tested. The price is to cover all expenses necessary for the complete fulfillment of the contract.  
Should the lowest bidder or bidders neglect or refuse to accept the contract within forty-eight (48) hours after written notice that the same has been awarded to his or their bid, he or they shall be considered as having abandoned it, and as in default to the Corporation; and the contract will be readvertised and relet, and so on until it be accepted and executed.  
Bidders are required to state in their proposals their names and places of residence; also that the bid is made without any connection with any other person making any estimate for the same work, and that it is in all respects fair, and without collusion or fraud; and also that no member of the Common Council, Head of a Department, Chief of a Bureau, Deputy thereof, or Clerk therein, or other officer of the Corporation, is directly or indirectly interested therein, or in the supplies or work to which it relates, or in any portion of the profits thereof; which proposals must be verified by the oath, in writing, of the party making the estimate, that the several matters stated therein are in all respects true. Where more than one person is interested, it is requisite that the verification be made and subscribed by all the parties interested.  
No proposal will be received 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 to the person or persons making the bid, they will, on its being so awarded, become bound as sureties for its faithful performance; the consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, taken before a Judge of any Court of Record in this county, that each is a householder or freeholder in the City of New York, and is worth the amount of the security required for the contract, over and above all his debts of every nature, and over and above his liabilities as bail, surety or otherwise; and that he has offered himself as a surety in good faith. The adequacy and sufficiency of the sureties offered to be approved by the Comptroller of the City of New York after the award is made and prior to the signing of the contract.  
No proposal will be accepted from, or contract awarded to, any person who is in arrears to the Corporation, upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.  
The form of the agreement, including specifications, and showing the manner of payment for the material, can be obtained upon application at the office of the Secretary of the Department of Docks, Room No. 6.

SALEM H. WALES,  
JACOB A. WESTERVELT,  
HENRY F. DIMOCK,  
Commissioners of the Department of Docks.

## SUPREME COURT.

In the matter of the application of the Mayor, Aldermen, and Commonality of the City of New York, relative to opening Seventy-third street, from Fifth avenue to the East river (where not already opened), 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 twenty-fourth day of June, A. D. 1875, at 10½ o'clock in the forenoon.

WILLIAM CHALMERS,  
THOMAS COMAN,  
CORNELIUS J. FARLEY,  
Commissioners.

DATED, NEW YORK, June 9, 1875.

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 a new avenue, intermediate with the Avenue Saint Nicholas and Eighth avenue, from the easterly side of Avenue Saint Nicholas, at One Hundred and Thirty-fifth street, to One Hundred and Forty-first street; and also the opening of two new avenues, intermediate Avenue Saint Nicholas and Eighth avenue, from One Hundred and Forty-first street to One Hundred and Forty-fifth street; also, the opening of Ninth avenue, from the Avenue Saint Nicholas to One Hundred and Forty-fifth street; also, the opening of One Hundred and Fiftieth street, from Ninth avenue to the new avenue next easterly from Ninth avenue; also, the opening of One Hundred and Fifty-third street, from the Ninth avenue to the Hudson 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 Thirtieth (30th) day of June, A. D. 1875, at 10½ o'clock in the forenoon.

CHAS. A. STODDARD,  
JOHN P. O'NEILL,  
F. A. THAYER,  
Commissioners.

Dated NEW YORK, June 17, 1875.

In the matter of the application of the Mayor, Aldermen, and Commonality of the City of New York, relative to the opening of One Hundred and Forty-second street, from Eighth avenue to 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:

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 James F. Pierce, Esq., our Chairman, at the office of the Commissioners, No. 82 Nassau street (Room No. 24), in the said City, on or before the 30th day of June, 1875; and that we, the said Commissioners, will hear parties so objecting within the ten week-days next after the said 30th day of June, and for that purpose will be in attendance at our said office on each of said ten days, at 2 o'clock P. M.

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 13th day of July, 1875.

Third.—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 City of New York and which taken together are bounded, described, and contained as follows, that is to say: Beginning at a point on the easterly line or side of Tenth avenue equidistant between the northerly line or side of One Hundred and Forty-second street and the southerly line or side of One Hundred and Forty-third street; and running thence easterly and parallel with One Hundred and Forty-second street to the established bulkhead line on the Harlem river; thence southerly along said bulkhead line to a point where a line, drawn at right angles to Fifth avenue and equidistant between One Hundred and Forty-second and One Hundred and Forty-third streets, if produced, would intersect said bulkhead line; thence westerly and parallel with One Hundred and Forty-second street to the easterly line or side of Tenth avenue, and thence northerly along the easterly line or side of Tenth avenue two hundred and fifty-nine feet and ten 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 27th day of July, 1875, 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, May 24, 1875.

JAMES F. PIERCE,  
HENRY M. GARVIN,  
PETER TRAINER,  
Commissioners.

In the matter of the application of the Mayor, Aldermen, and Commonality of the City of New York, relative to the opening of One Hundred and Fiftieth street, from Eighth avenue to 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:

I.—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 before the 30th day of June, 1875; and that we, the said Commissioners, will hear parties so objecting within the ten week-days next after the said 30th day of June, and for that purpose will be in attendance at our said office on each of said ten days, at 2 o'clock P. M.

II.—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 13th day of July, 1875.

III.—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 City of New York, and which taken together are bounded, described, and contained as follows, that is to say:

Beginning at a point on the new Bulkhead line on the Hudson river, equidistant between the southerly line or side of One Hundred and Fiftieth street, and the northerly line of One Hundred and Forty-ninth street; and running thence easterly and parallel with One Hundred and Fiftieth street, to the westerly line or side of Sixth avenue, one hundred and sixty-seven feet and two and one-half inches to the Harbor Commissioner's line on the Harlem river; thence northerly along said Harbor Commissioner's line one hundred feet and two and seven-tenths inches to the centre-line of the block between One Hundred and Fiftieth and One Hundred and Fifty-first streets; thence westerly and parallel with One Hundred and Fiftieth street to the new Bulkhead line on the Hudson river; and thence southerly along said Bulkhead line two hundred and fifty-nine feet and ten inches to the point or place of beginning.

IV.—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 27th day of July, 1875, 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, May 24, 1875.

ROBERT SUTHERLAND,  
GRATZ NATHAN,  
JOHN H. HARNETT,  
Commissioners.

In the matter of the application of the Department of Public Works, for and on behalf of the Mayor, Aldermen, and Commonality of the City of New York, relative to the widening of the Boulevard twenty-five feet on the westerly side thereof, as now opened between One Hundred and Seventh and One Hundred and Eighth streets, westerly from the westerly line of Eleventh avenue, 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:

I.—That we have completed our estimate and assessment in the above-entitled matter, and that all persons whose interests are affected thereby, and who may be opposed to the same, do present their objections in writing, duly verified, to the Commissioners, at our office, No. 57 Broadway (Room 24), in the City of New York, on or before the 30th day of June, 1875, and that we the said Commissioners will hear parties so objecting, within the ten week days next after the said 30th day of June, 1875, and for that purpose will be in attendance at our said office on each of said ten days, at 3 o'clock P. M.

II.—That the abstract of the said estimate and assessment, together with a copy of our maps, and also all 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 13th day of July 1875.

III.—That the limits embraced by the assessment aforesaid are as follows, that is to say: All those certain lots, pieces, or parcels of land situate, lying, and being in the City of New York, bounded by, included, and contained within the following mentioned lines: Beginning at a point formed by the intersection of the centre line of Ninety-ninth street, with a line drawn one hundred feet east of the easterly line of the Boulevard; running thence northerly along a line distant one hundred feet east of the easterly line of the Boulevard to the centre line of One Hundred and Sixteenth street; thence westerly along said centre line to a point distant one hundred feet west of the westerly line of the Boulevard; thence southerly parallel with the Boulevard to the centre line of One Hundred and Ninth street; thence westerly parallel with the Boulevard to the centre line of One Hundred and Eighth street; thence southerly parallel with the Boulevard to the centre line of One Hundred and Seventh street; thence easterly along the centre line of One Hundred and Seventh street to a point distant two hundred feet west of the westerly line of Eleventh avenue; thence southerly parallel to Eleventh avenue to the centre line of One Hundred and Sixth street; thence easterly along the centre line of One Hundred and Sixth street to a point distant one hundred feet west of the westerly line of Eleventh avenue; thence southerly parallel with Eleventh avenue to the centre line of One Hundred and Fourth street; thence easterly along the centre line of One Hundred and Fourth street to a point distant one hundred feet east of the easterly line of the Eleventh avenue; thence northerly on a line distant one hundred feet east of the easterly line of Eleventh avenue to a point in One Hundred and Fifth street, where the last-mentioned line intersects a line distant one hundred feet west of the westerly line of the Boulevard; thence southerly on a line distant one hundred feet west of the westerly line of the Boulevard to the centre line of Ninety-ninth street; thence easterly along the centre line of Ninety-ninth street to the point or place of beginning.

IV.—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 County Court-house, at the City Hall, in the City of New York, on the 27th day of July, 1875, 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 said report be confirmed.

Dated NEW YORK, May 24, 1875.

CLINTON W. SWEET,  
HENRY MCCABE,  
GEORGE F. BETTS,  
Commissioners.

In the matter of the application of the Department of Public Works, for and on behalf of the Mayor, Aldermen, and Commonality of the City of New York, relative to the widening of One Hundred and Tenth street, to the width of eighty feet, from a point two hundred and fifty feet west of Eighth avenue to Eighth avenue, 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:

I.—That we have completed our estimate and assessment in the above-entitled matter, and that all persons whose interests are affected thereby, and who may be opposed to the same, do present their objections in writing, duly verified, to the undersigned Commissioners, at our office, No. 57 Broadway (Room 24), in said City, on or before the 30th day of June, 1875, and that we, the said Commissioners, will hear parties so objecting, within the ten week-days next after the said 30th day of June, 1875, and for that purpose will be in attendance at our said office on each of said ten days, at 2 o'clock P. M.

II.—That the abstract of the said estimate and assessment, together with our maps and also all 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 and County of New York, there to remain until the 13th day of July, 1875.

III.—That the limits embraced by the assessment aforesaid are as follows, to wit: All those certain lots, pieces or parcels of land situate in the City of New York, bounded by, included and contained within the following limits, that is to say: Beginning at a point on the easterly line of the new avenue (next westerly from the Boulevard), distant ninety feet and eleven inches north of the northerly line of One Hundred and Tenth street; running thence easterly and parallel with One Hundred and Tenth street to a point distant three hundred and eighty-seven feet and ten inches east of the easterly line of Eighth avenue; thence southerly and parallel with Eighth avenue to a point distant ninety feet and eleven inches south of the southerly line of One Hundred and Tenth street as the same is widened; thence westerly and parallel with said southerly line of One Hundred and Tenth street to the easterly line of the New Avenue, "next westerly from the Boulevard;" thence northerly along the easterly line of said New Avenue to the point or place of beginning.

IV.—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 27th day of July, 1875, 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, May 24, 1875.

WM. OSBORN CURTIS,  
ALFRED T. ACKERT,  
STEPHEN J. BIDLACK,  
Commissioners.

In the matter of the application of the Department of Public Parks and the Department of Public Works, for and in behalf of the Mayor, Aldermen, and Commonality of the City of New York, relative to acquiring title to certain lands in the City of New York, for a public square or place, for a Parade Ground, and the streets and avenues bounding the said public square or place, as laid out by the officers composing the Board of the Department of Public Parks in the City of New York, and the Major-General Commanding the First Division of the National Guard of the State of New York.

**PURSUANT TO THE PROVISIONS OF CHAPTER** 290 and chapter 628 of the Laws of 1871, chapter 872 of the Laws of 1872, and chapter 335 of the Laws of 1873, and of all other statutes in such case made and provided, the Department of Public Parks and the Department of Public Works, for and in behalf of the Mayor, Aldermen, and Commonality 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 thereof, in the County Court-house, in the City of New York, on Monday, the 28th day of June, 1875, at the opening of the Court on that day, or as soon thereafter as Counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter.

The nature of the improvement hereby intended is the acquisition of title in the name and on behalf of the Mayor, Aldermen and Commonality of the City of New York, to all the lands required for laying out and establishing, in that part of said city above Fifty-ninth street, a public square or place, and the streets and avenues bounding said public square or place, as shown on the duplicate maps thereof, made, certified, and filed, pursuant to the provisions of the second section of the aforesaid chapter 628 of the Laws of 1871, one of which is now on file in the office of the Department of Public Parks, and the other of which is now on file in the office of the Department of Public Works; said public square or place, and the streets and avenues by which the same is bounded, to be maintained for the use of said First Division of the National Guard of the State of New York, for military encampments, parades, drills, reviews, and other military evolutions and exercise, and when not required for such military evolutions or exercise, to be appropriated to such other uses as shall be conducive to public good. In its extent, the said improvement will embrace all the lands and premises, with the buildings thereon and appurtenances thereto belonging, situate, lying, and being in that part of the City of New York, hereinbefore mentioned, as follows:

For the public square or place for a parade ground, all those lots, pieces, or parcels of land contained within the following description and boundaries, to wit: Beginning at the central point of a stone monument, which is at the southwesterly corner of said public square or place, which point of beginning is twelve thousand seven hundred and eighty and three-tenths feet (12,780 3/10) from the southerly side of One Hundred and Fifty-fifth street, measured on a straight line, parallel with the easterly line of Tenth avenue, and thirteen hundred and sixty-three and six-tenths feet (1,363 6/10) from the easterly side of Tenth avenue, as established by monuments in said public square or place, measured on a line at right angles with said easterly line of Tenth avenue; thence north 63 degs. 50 mins. 50 secs. east two thousand four hundred and fifty-four one-hundredths (2,454 54/100) feet to the central point of a stone monument; thence south 61 degs. 09 mins. 30 secs. east five hundred and twenty-seven and seven one-hundredths (527 7/100) feet to the central point of a stone monument; thence south 26 degs. 09 mins. 10 secs. east three hundred and ninety-seven and sixty-eight one-hundredths (397 68/100) feet to a stone monument; thence, on the same line produced, one hundred and seventy-four and thirty-three hundredths (174 33/100) feet to the westerly side of River street; thence south 35 degs. 29 mins. 29 secs. west along the said westerly side of River street, eight hundred and thirty-five and one one-hundredth (835 1/100) feet to the central point of a stone monument; thence south 63 degs. 50 mins. 50 secs. west one thousand nine hundred and seventy-four and seventy-two one-hundredths (1,974 72/100) feet to the southerly corner of said public square or place, which corner is north 63 degs. 50 mins. 50 secs. east one hundred (100) feet from the central point of a stone monument; thence north 26 degs. 09 mins. 10 secs. west fourteen hundred and six one-hundredths (1,406 6/100) feet to the beginning, containing eighty-two and two thousand and four ten thousandths (82 2,004 10,000) acres, more or less.

And for the streets and avenues bounding the said public square or place for a parade ground all those certain lots, pieces, or parcels of land bounded and described as follows: Beginning at the central point of the stone monument, which was the initial point in the first course of the description of the land to be taken for the public place aforesaid, and thence north 26 degs. 09 mins. 10 secs. west one hundred feet (100); thence north 63 degs. 50 mins. 50 secs. east two thousand three hundred and forty-five and forty-three one-hundredths (2,345 43/100) feet parallel with the first course aforesaid public square or place to the westerly side of Tenth avenue as established by monuments within said public square or place; thence along the westerly side of said Tenth avenue north 28 degs. 50 mins. 30 secs. east ninety-one and eighty-seven one hundredths feet (91 87/100) to a line northerly of and parallel to the second course of said public square and parallel thereto, and one hundred (100) feet distant therefrom; thence north 61 degs. 09 mins. 30 secs. east six hundred and seventy-five (675) feet to a line without said public square or place, and one hundred (100) feet from the third course of said square or place (measured perpendicular thereto) and parallel therewith; thence south 26 degs. 09 mins. 10 secs. east parallel with said third course of said public square or place six hundred and sixty-three and twenty-two one-hundredths (663 22/100) feet to the easterly side of River street, which is the bulkhead line of Harlem river; thence south 35 degs. 29 mins. 29 secs. west along said bulkhead line nine hundred and nineteen and ninety-two one-hundredths (919 92/100) feet to a line without said public square aforesaid and one hundred (100) feet distant therefrom measured perpendicular thereto; thence along said parallel line south 63 degs. 50 mins. 50 secs. west two thousand and ninety-eight and sixteen one-hundredths (2,098 16/100) feet to a point which is south 26 degs. 09 mins. 10 secs. east one hundred (100) feet from the central point of a stone monument, which monument is one hundred (100) feet from the southerly side of said public square, measured perpendicular thereto; thence north 26 degs. 09 mins. 10 secs. west fifteen hundred (1,500) feet to a point on a line south 63 degs. 50 mins. 50 secs. west from the initial point of the first course of said public square or place; thence on the same course north 26 degs. 09 mins. 10 secs. west one hundred (100) feet; thence north 63 degs. 50 mins. 50 secs. east one hundred (100) feet to the central point of the same monument; thence along the six (6) courses or sides of said public square, north 63 degs. 50 mins. 50 secs. east two thousand four hundred and five and fifty-four one hundredths (2,405 54/100) feet; thence south 61 degs. 09 mins. 30 secs. east five hundred and twenty-seven and seven one-hundredths (527 7/100) feet; thence south 26 degs. 09 mins. 10 secs. east five hundred and seventy-two and one one-hundredths (572 1/100) feet; thence south 35 degs. 29 mins. 29 secs. west eight hundred and thirty-five and one one-hundredth (835 1/100) feet; thence south 63 degs. 50 mins. 50 secs. west nineteen hundred and seventy-four and seventy-two one-hundredths (1,974 72/100) feet; thence north 26 degs. 09 mins. 10 secs. west fourteen hundred and six one-hundredths (1,406 6/100) feet, to the beginning; containing eighteen and sixty-one thousand six hundred and ninety-seven one hundred thousandths (18 61,697 100,000) acres.

Dated New York, June 3, 1875.

E. DELAFIELD SMITH,  
Counsel to the Corporation,  
No. 2 Tryon Row