

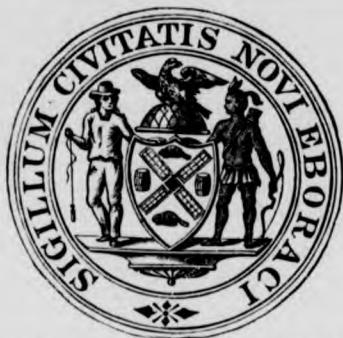
# THE CITY RECORD.

## OFFICIAL JOURNAL.

VOL. II.

NEW YORK, THURSDAY, MARCH 12, 1874.

NUMBER 220.



### HEALTH DEPARTMENT.

HEALTH DEPARTMENT,  
NEW YORK, March 10, 1874.  
No. 301 Mott street.

The Board of Health met this day.

#### Orders.

376 orders for the abatement of nuisances were made.

#### Suits for Penalties.

The attorney was directed to commence suits for non-compliance with the orders of the Board in 65 cases.

#### Reports Received.

From the Sanitary Superintendent:  
Weekly report of the operations of the Sanitary Bureau.

Weekly report on contagious diseases.

Weekly report on slaughter houses.

Weekly report on operations at dock for receiving animals.

Report on applications for permits.

Report on condition of public school house at Sputten Duyvil Hill.

Report on condition of No. 48 Marion street.

Report on condition of certain streets.

From the Register of Records:

Weekly mortuary statement.

Weekly letter on mortality.

#### Communications from City Departments.

From the Police Departments:

Weekly report of the Sanitary Co. of Police.

From the Comptroller:

Weekly statement in respect to marshals' fees.

From the Department of Buildings:

In respect to condition of No. 337 W. 28th st.

#### Bills Audited.

Francis Swift, for removing night soil for week ending March 6, 1874. \$634.62

Francis Swift, for removing offal, etc., for week ending March 6, 1874. 288.46

Wm. Wood & Co. 5.20

Robert Danfield. 30.00

N. Y. Gaslight Co. 9.35

A. T. Abrams. 14.50

#### Permit Granted.

To slaughter cattle at 169th street, near 3d avenue.

#### Permits Denied.

To keep 4 cows and 15 fowls at 340 E. 38th street.

To keep 3 cows at north side 80th street, 1st house west of 4th avenue.

#### Communications Received.

From John Farley, Esq., U. S. Coast Survey:  
In respect to the disposition of the dead at Hart's Island.

From Henry Bergh:

In respect to salting the streets.

From Dr. Wm. A. Ewing:  
Application for appointment.

#### Hearing

In respect to slaughtering animals within the city limits, was adjourned to Tuesday next.

#### Reports Referred to other Departments for the Necessary Action.

To the Board of Education:  
On condition of Public School at Sputten Duyvil Hill.

To the Board of Police:  
On the condition of certain streets.

#### Resolutions.

Whereas, The Board of Police has not complied with the several orders of this Board, requiring the immediate suspension of the operations of filling sunken lots on the east side of the city with garbage and other offensive refuse, which are carried on in direct violation of the sanitary ordinances, which they are by law required to enforce; therefore

Resolved, That the attorney be hereby directed to take the most effective steps to secure the immediate discontinuance of this work, which will inevitably cause sickness and death for years to come.

Whereas, The Sanitary Superintendent and City Sanitary Inspector has certified to this Board that the building situated upon the lot No. 48 Marion street, New York City, has become dangerous to life by reason of want of repair,

Ordered, That all persons in said building situated upon lot No. 48 Marion street, New York City, be required to vacate said building on or before Friday, March 20, at 12 M., for the

### BUREAU OF VITAL STATISTICS.

#### CONDENSED STATEMENT OF MORTALITY.

REPORTED MORTALITY (week ending March 7, 1874,) AND THE ACTUAL MORTALITY (each day in the week, ending at noon, Feb. 28, 1874,) WITH AN ENUMERATION OF THE CHIEF CAUSES OF DEATH.

E. HARRIS, M. D., Registrar.

Actual number of Deaths each day.	February 28.....	February 27.....	February 26.....	February 25.....	February 24.....	February 23.....	February 22.....	Deaths Reported during the week ending March 7, the	CAUSES OF DEATH.	
									Total Deaths from all Causes.	488
24.15	503	510.8	483	64	88	64	63	70	63	71
5.85	117	127.8	117	13	23	19	14	18	11	19
6.55	123	122.0	131	20	25	13	17	17	20	19
9.70	208	212.0	194	27	36	26	25	28	24	28
1.65	34	31.6	33	4	2	6	5	5	6	5
.40	21	17.4	8	—	2	—	2	2	2	—
.05	5	16.4	1	—	1	—	—	—	—	—
.35	7	10.4	7	1	2	—	—	1	—	3
1.20	18	23.2	24	2	6	3	4	4	1	4
.95	9	6.2	19	—	2	7	1	3	4	2
.95	20	13.2	19	4	6	2	1	1	—	5
.50	5	8.2	10	1	—	3	1	2	1	2
.05	—	3.0	1	—	—	—	—	1	—	—
.25	6	5.0	5	1	1	—	1	2	—	—
.45	17	18.2	9	1	2	—	1	1	2	2
.35	16	15.0	7	1	1	—	1	1	2	1
.15	4	3.4	3	1	—	1	—	—	1	—
.40	3	6.8	8	—	1	—	3	1	3	—
4.40	87	83.4	88	16	17	9	11	10	12	13
.35	12	11.2	7	2	1	—	—	2	1	1
2.45	51	54.8	49	6	11	7	3	4	9	9
.85	11	14.6	17	3	7	—	2	3	2	—
3.10	57	59.0	62	11	8	9	8	9	8	9
.90	31	22.4	18	1	4	3	3	2	3	2
.80	15	16.4	16	2	2	1	5	2	1	3
.05	2	2.2	1	—	—	—	1	—	—	—
—	1	0.8	0	—	—	—	—	—	—	—
.50	6	7.2	10	1	1	2	2	1	3	—
3.85	88	100.6	77	13	16	10	11	11	8	8
1.55	27	26.0	31	4	5	4	2	3	5	8
5.65	127	128.4	113	15	18	15	14	12	18	21
8.00	172	177.2	160	18	28	22	19	20	25	28
10.10	243	236.0	205	25	38	26	26	27	27	36

reason that said building is dangerous to life by reason of want of repair, and, further, that this order be affixed conspicuously on the front of said building, and be served as the law requires under the direction of the Sanitary Superintendent and City Sanitary Inspector; and further, that said building be not again used as a human habitation without a written permit from this Board.

#### SANITARY BUREAU.

The following is a record of the work performed in the Sanitary Bureau for the week ending March 7, 1874:

The total number of inspections made by the inspectors was 2,096, as follows, viz.: 6 public buildings, 847 tenement houses, 278 private dwellings, 122 other dwellings, 30 manufactories and workshops, 22 stores and warehouses, 81 stables, 1 market, 47 slaughter houses, 3 manure dumps, 2 gut cleaning establishments, 5 dumping grounds, 7 public sewers and drains, 8 fat rendering establishments, 2 distilleries, 229 sunken and vacant lots, 67 yards, courts and areas, 54 cellars and basements, 99 waste pipes and drains, 98 privies and water closets,

50 streets, gutters and sidewalks, 16 dangerous stairways, 2 cisterns and cesspools, 16 other nuisances, together with 4 visits of the sanitary inspectors to cases of contagious disease.

The number of report thereon received from the inspectors was 523.

During the past week 50 complaints have been received from citizens, and referred to the sanitary and assistant sanitary inspectors for investigation and report.

The disinfecting corps have visited 50 premises where contagious diseases were found, and have disinfected and fumigated 50 houses, 50 privy sinks, together with clothing, bedding, &c.

Four cases of small-pox was removed to the hospital by the ambulance corps.

Permits have been granted to scavengers to empty, clean and disinfect privy sinks.

The following number of cases of contagious diseases were reported for the week ending March 7, 1874: typhoid fever, 6; scarlet fever, 73; measles, 37; cerebro spinal meningitis, 4; diphtheria, 44, and small-pox, 4.

307 loads of night soil were removed by the night scavengers from the privy vaults of the city.

The amount of meat condemned by the officers as unfit for human food during the week ending March 7, 1874, was: sheep, 1 carcass; hogs, 6 carcasses; veal, (bob) 41 carcasses; beef, 159 pounds; poultry, 124 pounds, and fish, 5,950 pounds.

#### Bureau of Vital Statistics.

During the week ending March 7, 1874, there were issued from this Bureau 488 burial permits for city deaths, 17 for bodies in transitu, and 60 for the interment of still-born infants. There were recorded 488 deaths, 133 marriages, 479 births, 60 still-births, 17 applications for transit permits, and 37 returns from Coroners. There were 34 searches of the registers of births, marriages, and deaths, and 7 transcripts of birth record, 9 of marriage and 17 of death were issued from this Bureau. Two cases were referred to Coroners.

By order of the Board.

EMMONS CLARK,  
Secretary.

### DEPARTMENT OF PUBLIC WORKS.

## DEPARTMENT OF BUILDINGS

New York, March 9, 1874.

The following comprises the operations of the Department of Buildings for the week ending March 7, 1874:

W. W. ADAMS,  
Superintendent of Buildings.

## BUREAU OF CONSTRUCTION AND ALTERATION OF BUILDINGS.

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

## NEW BUILDINGS.

No. of Plans and Specifications filed and examined... 22  
No. of Buildings embraced in same..... 30

## CLASSIFIED AS FOLLOWS:

Second class Dwellings..... 1  
Tenements..... 20  
Third class stores..... 1  
Manufactories and Workshops..... 3  
Stables..... 4  
\*Frame Dwellings..... 1  
Total..... 30

\*In Westchester districts.

Plans &c., approved, including those previously filed. 19  
" amended and approved..... 2  
" disapproved..... 1  
" pending..... 5  
Total..... 27

## ALTERED BUILDINGS.

No. of Plans and Specifications filed and examined... 47  
" Buildings embraced in same..... 50

## CLASSIFIED AS FOLLOWS:

First class Dwellings..... 2  
Second class Dwellings..... 14  
French Flats..... 1  
Tenements..... 13  
Hotels and Boarding Houses..... 1  
First class Stores..... 1  
Third class Stores..... 1  
Manufactories and Workshops..... 1  
Public Buildings..... 1  
Stables..... 1  
Frame Dwellings..... 1  
Total..... 50

## BUILDINGS EXAMINED AND PLANS RELATING THERETO PASSED UPON INCLUDING THOSE PREVIOUSLY FILED.

Approved..... 45  
Amended and approved..... 8  
Disapproved..... 5  
Pending..... 17  
Total..... 75

## SPECIAL APPLICATIONS.

Number filed examined and passed upon..... 27  
Approved..... 12  
Amended and approved..... 1  
Disapproved..... 2  
No. pending..... 12  
Total..... 27

Building operations during the month of February, as reported by the District Inspectors:

New Buildings commenced..... 46  
New Buildings completed, including those previously commenced..... 67  
Alterations to Buildings, commenced..... 81  
Alterations to Buildings completed, including those previously commenced..... 38  
New Buildings in progress, including those previously commenced..... 603  
Alterations in progress, including those previously commenced..... 121

ROBERT McGINNIS,  
Chief of Bureau.

## BUREAU OF VIOLATIONS, UNSAFE BUILDINGS AND COMPLAINTS.

Abstract of operations for the week ending March 7, 1874:

Complaints received from outside sources..... 12  
Violations of the law reported..... 10  
Violations of the law removed..... 12  
Unsafe buildings reported..... 39  
Unsafe buildings made safe..... 44  
Unsafe buildings taken down..... 1  
Surveys held on unsafe buildings..... 4  
Violation cases sent to Attorney for prosecution..... 0  
Unsafe building cases sent to Attorney for prosecution..... 0  
Violation notices served..... 18  
Unsafe building notices served..... 54  
Buildings surveyed as to general condition..... 724

The classification of the unsafe buildings reported are as follows:

Unsafe walls..... 19  
" chimneys..... 13  
" piers..... 2  
" generally..... 1  
" floors..... 1  
" arches..... 1  
" bell-tower..... 1  
" coping..... 1  
Total..... 39

Operations during the month of February, 1874:

Unsafe Buildings reported..... 150  
Unsafe Buildings made safe..... 84  
Unsafe Buildings taken down..... 4  
Violations of the law reported..... 35  
Violations of the law removed..... 65  
Surveys held on unsafe buildings..... 2  
Complaints received from outside sources..... 37  
Violation notices served..... 65  
Unsafe Building notices served..... 238  
Violation cases sent to Attorney for prosecution..... 6  
Unsafe building cases sent to Attorney for prosecution..... 1  
Buildings surveyed as to general condition..... 2742

ANDREW OWENS,  
Chief of Bureau.

## BUREAU OF IRON WORK.

Abstract of operations for the week ending March 7, 1874:

Buildings reported for fire-escapes..... 44  
Fire-escapes provided..... 52  
Arch girders tested (all approved)..... 3  
Iron beams tested (all approved)..... 7  
Iron lintels tested..... 6  
Notices for Fire Escapes served..... 80  
Cases sent to Attorney for prosecution..... 10

Operations during the month of February, 1874:  
Buildings reported for fire escapes..... 190  
Fire escapes provided..... 36  
Arch girders tested (all approved)..... 11  
Iron beams tested (all approved)..... 34  
Iron lintels tested (all approved)..... 54  
Notice for fire escapes served..... 307  
Cases sent to the Attorney for prosecution..... 0

THOMAS S. GAYTON,  
Chief of Bureau.

## BUREAU OF THEATRES, HOTELS, SCHOOL-HOUSES, CHURCHES, FACTORIES AND SPECIAL SURVEYS.

Abstract of operations during the week ending March 7, 1874:

## THEATRES.

The Grand Opera House, Niblo's, Metropolitan, Theatre Comique, Olympic, Wallack's, Lyceum, Bain's Hall, Steinway Hall, Booth's, Colosseum, Academy of Music, and Bryant's Minstrel Building, have been officially inspected, and no infractions of the law noted in either.

## HOTELS.

28 hotels, boarding and lodging houses have been thoroughly inspected as to their condition, and the means and facilities provided for egress and escape (in case of fire) as follows, to wit:

Hotel del Recreo, 11 West 11th street; St. Omer, 384 6th avenue; West Side Hotel, 225 6th avenue; Northern, 79 Courtlandt street; Grand Central, Broadway; Hencken's, Fulton street, No. 254; Ahlbom's, 286 Fulton street; Hartman's, 45 Bowery; New England, 30 Bowery; Tenement 180 Division; Frankfort House, William street; Grant House, 44 New Bowery; Hotel Espanol, 21 Fourth street; Washington, 375 Fourth avenue; Barnum's, Broadway and 20th street; Mill's House, 387 Fourth avenue; Library House, 386 Fourth avenue; Metropolitan, 586 Broadway; Lafayette Hall, 595 Broadway; Lodging house, 29 Cherry street; Emigrant House, 16 State street; Central Hotel, 272 West street; Clarendon, Fourth avenue; Everett, Fourth avenue; Union Square, Fourth avenue; St. Denis, Broadway; Spangler House, Union Square, and the Ashland, Fourth avenue, and where such means and facilities were found to be insufficient, the parties in interest have been notified to provide additional fire safeguards.

## FACTORIES.

24 factories and buildings used for manufacturing purposes have been officially inspected as to the means and facilities therein severally provided for the protection, egress or escape of their operatives and employees in case of fire, ten of which were reported as being more or less insufficiently provided for in this respect, and the parties in interest notified to forthwith provide such additional safeguards as had been recommended by the inspectors charged with the duty of such examinations.

## SPECIAL SURVEYS.

3,134 buildings, upon which fire escapes have been heretofore provided, were examined as to the condition of the escapes thereon erected, and their being kept free from obstructions and available for use in the event of fire.

Special re-examinations of fifty-two hotels, lodging houses and factories, heretofore reported as being insufficiently provided with means and facilities of egress and escape in the event of fire, have been made; 35 of which were reported as having, in compliance with the requirements of the law and recommendations of the Department, been provided with proper additional fire safeguards, and the case relative thereto have been removed and all proceedings thereunder discontinued. In three cases still pending an extension of time has been granted, and in the remainder 14 in number the owners and parties in interest having, after repeated notification, failed or neglected to comply with the requirements of the law, the cases relative thereto have been placed in the hands of the attorney of the Department for prosecution.

Number of buildings (hotels or factories) reported as having been provided with fire escapes..... 35  
Number of fire escape notices served..... 23

Number of special examinations of buildings, as to condition and availability of fire escapes thereon..... 3134  
Number of hotels, theatres and factories inspected..... 65

Total of special inspections..... 3199

CHARLES K. HYDE,  
Chief of Bureau.

## BILLS INCURRED.

Perris & Browne, maps..... \$60 00  
American Institute of Architects, surveys..... 125 00  
J. Winterbottom & Co., Jan. and Feb., each \$30. 60 00  
L. Schoner, repairing furniture..... 6 75  
T. Donaldson, postage and office expenses..... 49 14

## EXECUTIVE DEPARTMENT.

Report for the week ending March 7, 1874:  
Licenses granted and amounts received for licenses and fines by First Marshal:

Licenses granted..... 269  
Amount received..... \$391 50

Permits issued for street stands, signs, show cases, deliveries, &c., and amount received for same:

Permits issued..... 37  
Amount received..... \$219

W. F. HAVEMEYER,  
Mayor.

## THE CITY RECORD.

OFFICE OF PUBLICATION, No. 2 City Hall, North-west corner (basement).  
Copies for sale. Price five cents.

ABM. DISBECKER,

Supervisor.

GEO. M. VAN NORT,

Commissioner of Public Works.

## LEGISLATIVE DEPARTMENT.

From the proceedings of the Board of Assistant Aldermen March 9:

IN SUPREME COURT.—First Department, March, General Term, 1874.

Noah Davis, P. J., Charles Daniels and Charles Donohue, J. J.

The People, ex. rel.

William Wade, and said

William Wade,

ag'st

Joseph P. Strack.

Case submitted upon an agreed state of facts, under section 372 of the Code.

Henry E. Davies, for Relator.

Charles W. Brooke, for Res.

DAVIS, P. J.—It appears by the agreed statement of facts in this case that the members of the Board of Assistant Aldermen of the city of New York were elected in the fall of 1872 for the term of two years, commencing on the first day of January following; that on the first Monday of January 1873, the Board organized by the election of the officers authorized and required by law; that at such election the relator William Wade was elected President of said Board by resolution declaring him to be so elected for the year 1873; that the Board therupon proceeded to, and continued to transact its business under such organization until and after the passage of the act entitled "An act to organize the local government of the city of New York," passed April 30th, 1873. Section 2 of article 2 of the above named act declares that the legislative power of the corporation shall continue to be vested in a Board of Aldermen and a Board of Assistant Aldermen, who together shall form the Common Council of said city, and that from and after the first day of January 1875, the Board of Assistant Aldermen shall be abolished and thereafter the Board of Aldermen shall constitute the Common Council. The sixth section of the act declares that each Board shall choose a President from its own members by a call of the names of the members of the Board, upon which call each member shall announce his choice, and when once chosen the President can only be removed before the expiration of his term as Alderman or Assistant Alderman, by a vote taken by all call of ayes and noes, of four-fifths of all the members of the Board of which he shall have been chosen President; and the last clause of the section provides that "it shall not be construed to require or authorize a re-organization of the existing Board of Aldermen or Board of Assistant Aldermen."

On the 5th of January, 1874, the Board of Assistant Aldermen adopted a resolution that "at the hour of twelve of that day the Board

proceeded to organize and that the same be made a special order for that hour," and at the time specified the Board proceeded to elect the respondent to the office of president of the Board. The relator was not removed by a vote, taken by ayes and noes, of four-fifths of the members of the Board, but the election was had upon the claim that the relator's term of office had expired.

The case states that the respondent upon this election claims the office of president of the Board and the right to exercise its powers and duties and enjoy its emoluments. The relator claims that he is still the lawful president of the Board. The relator was elected president under the provisions of the charter of 1870, (laws of 1870, chap., 137, page 366.) The ninth section of that charter provides that each Board shall choose a president from its own members. It contains no provision touching the term of office of the president, nor as to the mode of choosing, nor as to the manner of removal. At the time of its passage the term of office of Assistant Alderman was limited to one year, and the relator and the members of the Board of which he was chosen president were elected subsequently to the amendment.

The act of 1873, introduced several new features. *First:* By designating how the choice of president should be made, to wit: "by a call of the names of the members of the Board, upon which call each member shall answer his choice." *Second:* By making the term of office of the president when chosen, concurrent with his term as Alderman or Assistant Alderman. *Third:* By declaring how only he may be removed, to wit: "by a vote taken by a call of the ayes and noes of four-fifths of all the members of the Board." The section containing these provisions supercedes section nine of the charter of 1870, and is clearly applicable to the Board existing at the time of its passage, except wherein restricted by its own, or some subsequent provision of law.

The imperative language of section six of the charter of 1873 might perhaps have been construed to require a complete re-organization of the respective Boards by a new election of officers; and to guard against such an effect the legislature declared that this section "Shall not be construed to require or authorize a re-organization of the existing Board of Aldermen or Board of Assistant Aldermen." The effect of the charter of 1873 was to leave the existing organization of the Board precisely where it found them. It neither required nor gave authority for reorganization; nor did it diminish or enlarge any existing terms of office. Doubtless it subjected all future elections of presidents of the Boards to its prescribed manner of choosing, its mode of removal, and its term of the office as indicated in the section. With holding authority for reorganization in the manner in which that is done in the act was equivalent to declaring such reorganization to be unlawful, and, therefore, if the Board, after the passage of the act of 1873, had proceeded to reorganize by the election of a new president during the existing term of the relator, its proceedings, however formal, would have been in violation of law, and therefore void. But there can be no doubt that the provisions of the

charter of 1873, relative to the election of a president of the Board, are quite as applicable to any exigency that may arise requiring a new election, as to the original organization of a new Board. That is to say, if a vacancy in the office of president of the Board occur by death, or resignation, or removal of the incumbent from the city, or any other event, the Board is clothed with ample power "to choose a president from its own members," under section six of the new charter. The act of making such choice would not be "reorganizing" within the sense in which that word is used in the act. The intent of the restriction was to prevent a substitution of a new organization for the existing one while the latter was in full force and operation, and not to prevent that kind of reorganization which springs from the happening of vacancies, or the ending of fixed terms of office.

It is claimed by the respondent that his election was not made to supplant an existing officer by removing him from a continuing term, but to fill a vacancy which had accrued from the expiration of an official term. The disposition of this case depends altogether upon the correctness of this position; and that, in turn, depends upon the question whether the resolution of the Board passed at the election of the relator, declaring him to be elected president for the year 1873, was a lawful designation or limitation of his term of office. There seems to be no room for doubt that the intention of the Board was to make the relator president for one year, leaving the succession for the second year open to a further choice. Had the Board power to do this, or was it bound to elect once for all, and for the full period of the term of Assistant Aldermen? If we refer to the charter of 1870, under which the Board acted in electing the relator for the year 1873, we find the power of choosing the president given in the most general terms. "Each Board shall—1. Choose a president from its members." Here is no prescribed manner of choice and no declared term of office. The choice may be by resolution, by *viva voce*, or by ballot, and there seems to be no reason to doubt that the Board, under such general grant of power, may determine for itself the form of its exercise. May it also by the resolution, the passage of which elects the officer, prescribe the term for which he is chosen? Where the constitution or a statute fixes the term of an officer, there is no power in the appointing or electing body to prescribe any other term. The power must be exercised in conformity to the law, and the attempt to impose a limitation short of the term fixed by statute is as nugatory as would be an attempt to enlarge the term. But in this case there was no existing statute declaring a term. The sole and whole power to choose was handed over by statute to the Board without limitation as to term or restriction as to mode.

In this state of facts we are not at liberty to seek for analogies in the rules and practices of parmiamentary or other legislative bodies if we have general statutes applicable to the case. It will probably be found that the usage of such bodies is to choose a presiding officer for the full official term of the body itself; but such a rule, if otherwise obligatory cannot prevail in cases where the legislature have established another and different one. Section 8, of the general provisions of the Revised Statutes "respecting the appointment of officers, their qualifications, the commencement and duration of their offices," is in these words:

"Every office of which the duration is not prescribed by the Constitution, or is not or shall not be declared by law, shall be held during the pleasure of the authority making the appointment." (R. S. 117, sec. 8.) The President of the Board of Assistant Aldermen is a civil officer, chosen under authority conferred by law, and amenable as such to the laws of the State. At the time of the election of the relator the office was one of which the duration was neither prescribed by the Constitution nor declared by law. The statute, therefore, provides that it should be held during the pleasure of the authority making the appointment. That pleasure was declared by the resolution electing the relator to be that he was chosen for the year 1873. A question might have arisen whether, if there had been an attempt to remove the relator during the year 1873, the resolution could operate so as to fix a term as to prevent a removal at pleasure, but that question does not arise where the period expressed has lapsed, and the appointing authority is proceeding to fill the office after the lapse of the time named.

Unless there is something to be found in the charter of 1873 which operates to extend the duration of the relator's office as President of the Board beyond the time prescribed in the resolution electing him, a vacancy in the office occurred on the expiration of the year 1873, which the Board was at liberty to fill by an election conducted in conformity to the provisions of the new charter. It is the opinion of the learned Counsel to the Corporation, that this is found in the words "And when once chosen, he can be removed before the expiration of his term as Alderman or Assistant Alderman, only by a vote taken on a call of the ayes and noes of four-fifths of all the members of the Board." This language is not retroactive. It was not designed to legislate the relator into office beyond his existing term. Its primary subject was the regulation of a motion from office and it only follows as an incident to that subject, that it fixes the duration of future terms. It is, therefore, to carry it out of its intended channel to hold that its effect is to enlarge the duration of an office beyond the limitation lawfully fixed before the passage of the statute even if it might properly be held to prescribe the mode in which the relator could only be removed from the office, yet it would not follow that it would also prevent the expiration of his term by its own limitation, which event would render removal both unnecessary and impossible. Statutes

are not applied retrospectively by mere construction. The rule is that they cannot have such construction, unless so declared by express words or positive enactment, or unless a clear intent of the legislature to give them such retrospective effect is shown by the language used, (Jarvis v. Jarvis 2 Ed., 462; Butler v. Palmer, 1 Hill 324; Wadsworth v. Thomas, 7 Barb 445; Johnson v. Burwell, 2 Hill 28; Berly v. Ramparter, 5 Duer 183; Ely v. Hollone, 15 N. Y., 595; Wood v. Oakley, 11 Paige 400; McClosky v. Cromwell, 11 N. Y., 603).

Our conclusion is that the relator was not legislated out of office beyond that for which the Board had chosen him: that on the expiration of that term, his office was vacant by lapse of time and that until his successor was chosen he was discharging his duties by force of the general statute which provides for such discharge "until his successor should be duly qualified" (1 R. S. page 117 sec. 9) and that the Board after such expiration of the term was in choosing his successor, acting upon an exigency which required no removal, and was exercising its original and lawful authority. Judgment must therefore be given for the respondent,

A copy.

WM. WALSH,  
Clerk.

## BOARD OF ALDERMEN.

### STANDING COMMITTEES

ARTS AND SCIENCES, INCLUDING PUBLIC INSTRUCTION:	
Aldermen Billings, Monheimer, Reilly.	
FERRIES:	
Aldermen Falconer, Cooper, Lysaght.	
FINANCE:	
Aldermen Van Schaick, Gilon, Kehr, Morris, Ottendorfer.	
LANDS AND PLACES:	
Aldermen McCafferty, Koch, Gilon.	
LAW DEPARTMENT:	
Aldermen Cooper, Billings, Flanagan.	
MARKETS:	
Aldermen Morris, Kehr, Lysaght.	
PRINTING AND ADVERTISING:	
Aldermen Kehr, Ottendorfer, Falconer.	
PUBLIC WORKS:	
Aldermen Koch, Morris, Gilon.	
RAILROADS:	
Aldermen Billings, Van Schaick, Ottendorfer.	
REFRAINS AND SUPPLIES:	
Aldermen Kehr, Cooper, Flanagan.	
ROADS:	
Aldermen Cooper, Gilon, Reilly.	
SALARIES AND OFFICES:	
Aldermen Ottendorfer, Koch, McCafferty.	
STREETS:	
Aldermen Monheimer, Billings, McCafferty.	
STREET PAVEMENTS:	
Aldermen Falconer, Monheimer, Van Schaick.	

## OFFICIAL DIRECTORY.

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

### EXECUTIVE DEPARTMENT.

Mayor's Office, No. 6, City Hall, 10 A. M. to 3 P. M.  
Mayor's Marshal, No. 5, City Hall, 10 A. M. to 3 P. M.  
Permit Bureau, No. 1, City Hall, 10 A. M. to 2 P. M.  
License Bureau, No. 1, City Hall, 10 A. M. to 2 P. M.

### LEGISLATIVE DEPARTMENT.

Clerk of the Common Council and of Board of Supervisors, 7 and 8, City Hall, 9 a. m. to 4 p. m.  
Clerk of Board of Assistant Aldermen, 9½ City Hall, 9 a. m. to 4 p. m.

### FINANCE DEPARTMENT.

NEW COUNTY COURT HOUSE, OFFICE HOURS 9 A. M. TO 4 P. M.

Comptroller's Office, West end.  
1. Bureau for the collection of the revenue accruing from rents and interest on bonds and mortgages, and revenue arising from the use or sale of property belonging to or managed by the city; Ground floor, west end.  
2. Bureau for the Collection of Taxes; Brown stone building, City Hall Park.  
3. Bureau for the Collection of Arrears of Taxes and Assessments and Water Rents; Ground floor, west end.  
4. Auditing Bureau; Main floor, west end.  
5. Bureau of Licenses; Ground floor, west end.  
6. Bureau of Markets; Ground floor, west end.  
7. Bureau for the reception of all moneys paid into the Treasury in the City, and for the payment of money on warrants drawn by the Comptroller and countersigned by the Mayor, at the Office of Chamberlain and County Treasurer; Main floor, west end.  
8. Bureau for the Collection of Assessments; Rotunda, LAW DEPARTMENT.

Counsel to the Corporation, 82 Nassau street, 9 a. m. to 5 p. m.  
Public Administrator, 115 and 117 Nassau street, 10 a. m. to 4 p. m.  
Corporation Attorney, 115 and 117 Nassau street, 8½ a. m. to 4½ p. m.  
Attorney for the Collection of Arrears of Personal Taxes, 237 Broadway, room 5, 9 a. m. to 4 p. m.  
Attorney to the Department of Buildings, 20 Nassau street, room 52, 9 a. m. to 5 p. m.

### POLICE DEPARTMENT.

NO. 300 MULBERRY STREET, ALWAYS OPEN.  
Central Office.  
Commissioners' Office.  
Superintendent's Office.  
Inspectors' Office.  
Chief Clerk's Office, 8 a. m. to 5 p. m.  
Property Clerk, " " 5 p. m.  
Bureau of Street Cleaning, 8 a. m. to 5 p. m.  
Bureau of Elections, " " 5 p. m.

### DEPARTMENT OF PUBLIC WORKS.

CITY HALL, 9 A. M. TO 4 P. M.  
Commissioners' Office, No. 19.  
Chief Clerk's Office, No. 20.  
Contract Clerk's Office, No. 21.  
Engineer in charge of Sewers, No. 21.  
" " Boulevards & Avenues, No. 18½.  
Bureau of Repairs and Supplies, No. 18.  
" " Lamps and Gas, No. 13.  
" " Incumbrances, No. 13.  
" " Street Improvements, No. 11.  
" " Chief Engineer Croton Aqueduct, No. 11½.  
" " Water Register, No. 10.  
" " Water Purveyor, No. 4.  
" " Streets and Roads, No. 13.

### DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

Central Office, No. 66 Third avenue, 8 a. m. to 5 p. m.  
Out Door Poor Department, No. 66 Third avenue, always open; entrance on 11th street.  
Free Labor Bureau, 8 and 10 Clinton pl. 5 a. m. to 5 p. m.  
Reception Hospital, City Hall Park, N. E. corner, always open.

Reception Hospital, 99th st. and 10th av., always open.  
Bellevue Hospital, foot of 26th street, E. R. " FIRE DEPARTMENT.

NOS. 127 AND 129 MERCER ST, 9 A. M. TO 4 P. M.  
Commissioners' Office. Chief of Department.  
Inspectors of Combustibles. Fire Marshal.

## HEALTH DEPARTMENT.

NO. 301 MOTT STREET.

Commissioner's Office, 9 a. m. to 4 p. m.

Sanitary Superintendent, always open.

Register of Records, for granting burial permits, on all days of the week except Sunday from 7 a. m. to 6 p. m., and on Sundays from 8 a. m. to 5 p. m.

### DEPARTMENT OF PUBLIC PARKS.

Commissioners' Office, 35 Union Sq., 9 a. m. to 5 p. m.

### DEPARTMENT OF DOCKS.

Commissioners' Office, 346 and 348 Broadway corner Leonard street, 9 a. m. to 4 p. m.

### DEPARTMENT OF TAXES AND ASSESSMENTS.

Commissioners' Office, Brown stone building, City Hall Park, 32 Chambers st., 9 a. m. to 4 p. m. on Saturday 9 a. m. to 3 p. m.

Surveyor's Bureau, 19 Chatham st., 9 a. m. to 4 p. m.

Board of Assessors, " " 9 a. m. to 4 p. m.

### DEPARTMENT OF BUILDINGS.

Superintendent's Office, 2 Fourth av., 9 a. m. to 4 p. m.

### BOARD OF EXCISE.

Commissioners' Office, 299 Mulberry st., 9 a. m. to 4 p. m.

### BOARD OF EDUCATION.

CORNER GRAND AND ELM STREETS.

Office of the Board, 9 a. m. to 4 p. m.

Superintendent of Schools, 9 a. m. to 5 p. m.

### COMMISSIONERS OF ACCOUNTS.

Office, No. 32 Chambers street, (basement.)

### COMMISSIONERS OF EMIGRATION.

CASTLE GARDEN.

Commissioners' Office, 9 a. m. to 5 p. m.

Superintendent's Office, 9 a. m. to 5 p. m.

### THE CITY RECORD.

Office No. 2, City Hall, N. W. corner basement, 8 a. m. to 6 p. m.

### MISCELLANEOUS OFFICES.

HOURS 9 A. M. TO 4 P. M.

Coroner's Office, 40 E. Houston street.

Sheriff's Office, first floor, N. E. corner New Court House.

County Clerk's Office, first floor, S. W. corner New Court House.

Surrogate's Office, first floor, S. E. corner New Court House.

Register's Office, Hall of Records, City Hall Park.

District Attorney's Office, second floor Old Court House, 32 Chambers street, 9 a. m. to 5 p. m.

### COMMISSIONER OF JURORS.

Commissioner's Office, basement brown stone building City Hall Park, 32 Chambers st., 9 a. m. to 4 p. m.

### COURTS.

SUPREME COURT.

General Term, Special Term, Chambers, Circuit Part I, Circuit Part II, Second floor, New Court House, 10 a. m. to 3 p. m.

### SUPERIOR COURT.

Part I, Part II, Third floor, New Court House, 11 a. m. Clerk's Office, Third floor, New Court House, 9 a. m. to 4 p. m.

### COMMON PLEAS.

Third floor, New Court House, 9 a. m. to 4 p. m.

### GENERAL SESSIONS.

No. 32 Chambers street, 10 a. m. to 4 p. m.

Clerk's Office, 32 Chambers st., room 14, 10 a. m. to 4 p. m.

### OVER AND TERMINER.

General Term, Special Term, No. 32 Chambers street, room 11, 10 a. m.

### MARINE COURT.

General Term, room 17; Special Term, room 15; Chambers, room 18; 10 a. m. to 3 p. m. Clerk's Office, room 19, 9 a. m. to 4 p. m. No. 32 Chamber street.

### GENERAL SESSIONS.

At Tombs, corner Franklin and Centre streets, Tuesdays, Thursdays and Saturdays, 10 a. m.

### JUSTICE'S (OR DISTRICT) COURTS.

First District—1st, 2d, 3d and 5th Wards, south-west corner of Centre and Chambers sts., 10 a. m. to 4 p. m.

Second District—4th, 6th and 14th Wards, No. 514 Pearl street, 9 a. m. to 4 p. m.

Third District—8th, 9th and 15th Wards, No. 12 Greenwich avenue, 9 a. m. to 4 p. m.

Fourth District—10th and 12th Wards, No. 163 East Houston street, 9 a. m. to 4 p. m.

Fifth District—7th, 11th and 13th Wards, No. 154 Clinton street, 9 a. m. to 4 p. m.

Sixth District—

Seventh District—19th and 22d Wards, Fifty-seventh street, between Third and Lexington aves., 9 a. m. to 4 p. m.

Eighth District—16th and 20th Wards, south-west corner 22d street and 7th ave., 9½ a. m. to 4 p. m.

Ninth District—12th Ward, No. 2374 Fourth avenue, 9 a. m. to 4 p. m.

### POLICE COURTS.

First District—14th, 24th, 25th, 26th, 27th and portion of Sanitary Precinct, Tombs, corner Franklin and Centre streets, 7 a. m. to 3 p. m.

Second District—8th, 9th, 15th, 16th, 20th, 25th, 33d, 28th and 29th Precincts, Greenwich ave., corner of 10th street, 9 a. m. to 6 p. m.

Third District—7th, 10th, 11th, 13th, 17th, 18th and portion of Sanitary Precinct, No. 69 Essex street, 8 a. m. to 4 p. m.

Fourth District—19th, 21st, 22d, 23d and 19th Sub-station, Fifty-seventh street, between Third and Lexington avenues, 8 a. m. to 5 p. m.

Fifth District—12th Ward, No. 2374 Fourth avenue, (Harlem,) 8 a. m. to 4 p. m.

### DEPARTMENT OF BUILDINGS.

### NOTICE TO BUILDERS AND PROPERTY OWNERS.

### DEPARTMENT OF BUILDINGS,

OFFICE OF SUPERINTENDENT, 2 FOURTH AVE.,

NEW YORK, Jan. 2, 1874.

WHEREAS, THE TOWNS OF MORRISANIA, West Farms and Kings Bridge, have been annexed, and are now known as the 23d and 24th Wards of the City of New York, it becomes my duty, as Superintendent of Buildings, to extend the operation of the building laws over said territory, and to superintend the construction, alteration, repair and removal of buildings therein.

I therefore give notice to builders and property owners that plans and specifications for all new buildings, alterations, repairs and removals must be presented to this Department for examination and approval, prior to the commencement of the projected work.

All necessary blank forms, and any desired information pertaining to the building laws, will be furnished on application at this office, or to either of the inspectors, at their temporary office, Police Headquarters, Tremont W. W. ADAMS, Superintendent of Buildings.

### DEPARTMENT OF BUILDINGS,

Office No. 2 Fourth av., opposite Sixth st.

</div

## STREET OPENINGS.

**SUPREME COURT.**—In the matter of the application of the Department of Docks, for and in behalf of the Mayor, Aldermen and Commonalty of the City of New York, relative to the acquirement of right and title to that portion of the water front lying on the North river, between Morton street and Barrow street, claimed to be owned by the Executors of the estates of John Haggerty and John McLean, deceased, in the City of New York.

The Commissioners of the Department of Docks, in the name and in behalf of the Mayor, Aldermen and Commonalty of the City of New York, pursuant to the provisions of the Act of the Legislature of the State of New York, entitled "An Act to amend an Act, entitled 'An Act to reorganize the City of New York,' passed April 5, 1870," passed April 18, 1871; and of an act of said Legislature, entitled "An Act to reorganize the local government of the City of New York," passed April 20, 1873; and of an Act of said Legislature, entitled "An Act to amend an Act, entitled 'An Act to reduce several laws relating particularly to the City of New York, into one act,'" passed April 20, 1839; and of an act of said Legislature, entitled "An Act to reduce several laws relating particularly to the City of New York, into one act," passed April 9, 1813; and of an Act of said Legislature, entitled "An Act relative to improvements touching the laying out of streets and roads in the City of New York, and for other purposes," passed April 7, 1807; hereby give notice that they will apply through the Counsel to the Corporation of the City of New York, to the Supreme Court in the First Judicial District of the State of New York, at a special term of said Court, to be held in the New Court House, in the City of New York, on Tuesday, the thirty-first day of March, 1874, at eleven o'clock in the forenoon 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 and extent of the improvement hereby intended, is the acquiring of right and title to that portion of the water front lying on the North river between Morton street and Barrow street; claimed to be owned by the Executors of the estates of John Haggerty and John McLean, deceased, in the City of New York, as said water front is shown and delineated on a map now on file in the Department of Docks, in the City of New York.

Dated, New York, 1874.

**SUPREME COURT.—IN THE MATTER OF THE** application of the Department of Public Works, for and in behalf of the Mayor, Aldermen and Commonalty of the City of New York, relative to the opening of certain New Streets or Avenues intermediate the Avenue Saint Nicholas and Eighth avenue, extending from Avenue Saint Nicholas to One hundred and fifty-fifth street; also, the opening of Ninth avenue from Avenue Saint Nicholas to One hundred and fifty-fifth street; also, the opening of One hundred and fifth street, from the Ninth avenue to the New street easterly of Ninth avenue; also, the opening of a New street or avenue intermediate from One hundred and thirty-sixth street and One hundred and forty-fourth street, and from Tenth avenue to the Boulevard; also, the opening of a Public square or place between One hundred and thirty-sixth street and One hundred and thirty-seventh street, and between the Avenue Saint Nicholas and a certain New avenue; also, the opening of One hundred and fifty-third street, from Ninth avenue to the Hudson River; also the widening of One hundred and tenth street from a point two hundred and fifty feet west of Eighth avenue to the Eighth avenue; also, the widening of the Boulevard, on the western side thereof, as now opened, between One hundred and seventh street and One hundred and eighth street, where the same crosses the Eleventh avenue; also, the opening of One hundred and twenty-third street, from the westerly line of Eighth avenue to the easterly line of Ninth avenue, and from the westerly line of Tenth avenue to the easterly line of the Boulevard; and, also, the opening of F street and a continuation of F street, beginning from the northerly line of Inwood street, a point distant five hundred and forty-two feet and ten inches westerly from the westerly line of King's Bridge Road at its intersection with Inwood street, and running thence in a northerly direction to the road known as the Bolton Road, as said street and the continuation thereof are shown and delineated on two certain maps, made by William H. Grant, Civil Engineer, one of which was filed in the office of the Commissioners of Public Parks, on the third day of November, 1873, and on the same day in the office of the Register of the City and County of New York, and the other of which was filed in the office of the Commissioners of Public Parks on the tenth day of November, 1873, and in the office of the Register of the City and County of New York, on the thirteenth day of November, 1873.

Dated New York, March 5, 1874.

E. DELAFIELD SMITH,  
Counsel to the Corporation.

**SUPREME COURT.—IN THE MATTER OF THE** application of the Department of Public Works and the Department of Public Works, for and in behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to acquiring title for the use of the public to all the lands required for the opening of Tenth avenue, from a point 10,353 feet 6 inches northerly, from the southerly side of One Hundred and Fifty-fifth street in a north-westerly, westerly and south-westerly direction to the Eleventh avenue, as laid out by resolution of the Commissioners of the Central Park, 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 John N. Lewis, Esq., our Chairman, at the Office of the Commissioners, No. 82 Nassau street (Room No. 24), in the said city, on or before the 26th day of February, 1874, and that we, the said Commissioners, will hear parties so objecting within the ten week-days next after the said 26th day of February, and for that purpose will be in attendance at our said office on each of said ten days, at 12 o'clock M.

Second.—That the abstract of 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 10th day of March, 1874.

Third.—That the limits embraced by the assessment aforesaid, are as follows, to wit: All those lots, pieces or parcels of land situate, lying and being in the city of New York, and which taken together are bounded and contained as follows, to wit:—Beginning at a point formed by the intersection of the easterly line or side of the Kingsbridge Road with a line drawn parallel to and distant seven thousand six hundred and eighty-five feet northerly, from the southerly line or side of One Hundred and Fifty-fifth street, as the same is laid out, and running thence easterly and parallel to said One Hundred and Fifty-fifth street to the westerly line or side of the Boulevard, near the Harlem River, as laid out by the Commissioners of the Central Park, thence northerly, along the westerly line or side of said Boulevard to a point on a line drawn parallel to and distant eight thousand two hundred and twenty feet from the southerly line or side of said One Hundred and Fifty-fifth street; thence westerly and parallel with said One Hundred and Fifth-fifth street to the easterly line or side of the Kingsbridge Road, and thence southerly along the easterly line or side of the Kingsbridge Road 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 23d day of March, 1874, 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, January 21st, 1874.

E. DELAFIELD SMITH,  
Counsel to the Corporation.

**SUPREME COURT.—IN THE MATTER OF THE** application of the Department of Public Works and the Department of Public Works, for and in behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to the opening of certain New Streets or Avenues intermediate the Avenue Saint Nicholas and Eighth avenue, extending from Avenue Saint Nicholas to One hundred and fifty-fifth street; also, the opening of Ninth avenue from Avenue Saint Nicholas to One hundred and fifty-fifth street; also, the opening of One hundred and fifth street, from the Ninth avenue to the New street easterly of Ninth avenue; also, the opening of a New street or avenue intermediate from One hundred and thirty-sixth street and One hundred and forty-fourth street, and from Tenth avenue to the Boulevard; also, the opening of F street and a continuation of F street, beginning from the northerly line of Inwood street, a point distant five hundred and forty-two feet and ten inches westerly from the westerly line of King's Bridge Road at its intersection with Inwood street, and running thence in a northerly direction to the road known as the Bolton Road, in the City of New York.

Pursuant to the statutes in such cases made and provided, the Department of Public Works, for and in behalf of the Mayor, Aldermen and Commonalty of the City of New York, hereby give notice that, in compliance with the act of the Legislature of the State of New York, entitled "An act to alter the map or plan of certain portions of the City of New York, and for the laying out and improvement of the same," passed April 24, 1867, and of the act of said Legislature, entitled "An act in relation to the powers and duties of the Board of Commissioners of the Department of Public Works, including provision for the several public parks, squares and places, and other works under the jurisdiction and direction of said Department, in the City of New York," passed April 5, 1871; and of an act of said Legislature, entitled "An act in relation to the Croton Aqueduct and other public works in the City of New York," passed June 3, 1872; and of an act of said Legislature, entitled "An act to provide for the Eastern Boulevard in the City of New York, and in relation to certain local improvements in connection therewith to amend chapter six hundred and twenty-six of the laws of eighteen hundred and seventy," passed May 16, 1873; and of an act of said Legislature, entitled "An act to provide for the laying out and improving of certain portions of the City and County of New York," passed April 24, 1865; and of all other statutes in such cases made and provided, the Counsel to the Corporation of the City of New York will apply to the Supreme Court, in the First Judicial District of the State of New York, at a special term of said Court, to be held in the New Court House in the City of New York, on Friday, the twenty-seventh day of March, 1874, at eleven o'clock in the forenoon of 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 and extent of the improvements hereby intended are the opening of a new avenue, intermediate the Avenue Saint Nicholas and Eighth avenue, from the easterly side of the Avenue Saint Nicholas at One hundred and thirty-fifth street, to One hundred and forty-first street.

Also, to the opening of new avenues intermediate the Avenue Saint Nicholas and Eighth avenue, from One hundred and forty-first street to One hundred and forty-fifth street.

Also, the opening of two new avenues intermediate the Avenue Saint Nicholas and Eighth avenue, from One hundred and forty-fifth street to One hundred and fifty-fifth street.

Also, the opening of Ninth Avenue, from the Avenue Saint Nicholas to One hundred and fifty-fifth street.

Also, the opening of One hundred and fifty-fifth street, from the Ninth avenue to the New Avenue easterly from Ninth avenue.

Also, the opening of a Public square or place, between One hundred and thirty-sixth street, and One hundred and thirty-seventh street, and between the Avenue Saint Nicholas and a new avenue.

Also, the opening of a New street or avenue, intermediate the Tenth avenue and Boulevard, from One hundred and thirty-sixth street to One hundred and forty-fourth street.

Also, 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 the Eighth 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, as the aforesaid proposed openings, widening and public square are shown and delineated on a certain map made by John J. Serrall, civil engineer, and filed in the office of the Commissioners of Public Parks, on the seventh day of March, 1868, and on the same day, in the office of the Street Commissioner of the City of New York.

Also, the widening of the Boulevard, on the westerly

side thereof, as now opened, between One hundred and seventh and One hundred and eighth streets, where said Boulevard crosses the Eleventh avenue, by the acquisition of all that piece or parcel of land bounded easterly by the westerly line of said Boulevard, as now opened, southerly by the northerly line of One hundred and seventh street, and westerly by a line running parallel with the westerly line of Eleventh avenue, and distant twenty-five feet westerly therefrom, as said parcel of land is shown and delineated on a certain map made by Gardner A. Sage, a city surveyor, and filed in the office of the Commissioners of Public Parks, on the 11th day of October, 1867, and in the office of the Register of the City and County of New York, on the 23d day of October, 1867.

Also, the opening of One hundred and twenty-third street, between the westerly line of Eighth avenue and the easterly line of Ninth avenue, and between the westerly line of Tenth avenue and the easterly line of the Boulevard, as such portions of said street are shown and delineated on a certain map made by John J. Serrall, civil engineer, filed in the office of the Commissioners of Public Parks on the 7th day of March, 1868, and on the same day in the office of the Street Commissioner of the City of New York.

Also, the opening of F street, and a continuation of F street, beginning from the northerly line of Inwood street, at a point distant five hundred and forty-two feet and ten inches westerly from the westerly line of King's Bridge Road at its intersection with Inwood street, and running thence in a northerly direction to the road known as the Bolton Road, as said street and the continuation thereof are shown and delineated on two certain maps, made by William H. Grant, Civil Engineer, one of which was filed in the office of the Commissioners of Public Parks, on the third day of November, 1873, and on the same day in the office of the Register of the City and County of New York, and the other of which was filed in the office of the Commissioners of Public Parks on the tenth day of November, 1873, and in the office of the Register of the City and County of New York, on the thirteenth day of November, 1873.

Dated New York, March 5, 1874.

E. DELAFIELD SMITH,  
Counsel to the Corporation.

**SUPREME COURT.—IN THE MATTER OF THE** application of the Department of Public Works and the Department of Public Works, for and in behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to acquiring title for the use of the public to all the lands required for the opening of Tenth avenue, from a point 10,353 feet 6 inches northerly, from the southerly side of One Hundred and Fifty-fifth street in a north-westerly, westerly and south-westerly direction to the Eleventh avenue, as laid out by resolution of the Commissioners of the Central Park, 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 John N. Lewis, Esq., our Chairman, at the Office of the Commissioners, No. 82 Nassau street (Room No. 24), in the said city, on or before the 26th day of February, 1874, and that we, the said Commissioners, will hear parties so objecting within the ten week-days next after the said 26th day of February, and for that purpose will be in attendance at our said office on each of said ten days, at 12 o'clock M.

Second.—That the abstract of 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 10th day of March, 1874.

Third.—That the limits embraced by the assessment aforesaid, are as follows, to wit: All those lots, pieces or parcels of land situate, lying and being in the city of New York, and which taken together are bounded and contained as follows, to wit:—Beginning at a point formed by the intersection of the easterly line or side of the Kingsbridge Road with a line drawn parallel to and distant seven thousand six hundred and eighty-five feet northerly, from the southerly line or side of One Hundred and Fifty-fifth street, as the same is laid out, and running thence easterly and parallel to said One Hundred and Fifty-fifth street to the westerly line or side of the Boulevard, near the Harlem River, as laid out by the Commissioners of the Central Park, thence northerly, along the westerly line or side of said Boulevard to a point on a line drawn parallel to and distant eight thousand two hundred and twenty feet from the southerly line or side of said One Hundred and Fifty-fifth street; thence westerly and parallel with said One Hundred and Fifth-fifth street to the easterly line or side of the Kingsbridge Road, and thence southerly along the easterly line or side of the Kingsbridge Road 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 23d day of March, 1874, 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, January 21st, 1874.

E. DELAFIELD SMITH,  
Counsel to the Corporation.

**SUPREME COURT.—IN THE MATTER OF THE** application of the Department of Public Works and the Department of Public Works, for and in behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to the opening of certain New Streets or Avenues intermediate the Avenue Saint Nicholas and Eighth avenue, extending from Avenue Saint Nicholas to One hundred and fifty-fifth street; also, the opening of Ninth avenue from Avenue Saint Nicholas to One hundred and fifty-fifth street; also, the opening of One hundred and fifth street, from the Ninth avenue to the New street easterly of Ninth avenue; also, the opening of a New street or avenue intermediate from One hundred and thirty-sixth street and One hundred and forty-fourth street, and from Tenth avenue to the Boulevard; also, the opening of F street and a continuation of F street, beginning from the northerly line of Inwood street, a point distant five hundred and forty-two feet and ten inches westerly from the westerly line of King's Bridge Road at its intersection with Inwood street, and running thence in a northerly direction to the road known as the Bolton Road, in the City of New York.

Pursuant to the statutes in such cases made and provided, the Department of Public Works, for and in behalf of the Mayor, Aldermen and Commonalty of the City of New York, hereby give notice that, in compliance with the act of the Legislature of the State of New York, entitled "An act to alter the map or plan of certain portions of the City of New York, and for the laying out and improvement of the same," passed April 24, 1867, and of the act of said Legislature, entitled "An act in relation to the powers and duties of the Board of Commissioners of the Department of Public Works, including provision for the several public parks, squares and places, and other works under the jurisdiction and direction of said Department, in the City of New York," passed April 5, 1871; and of an act of said Legislature, entitled "An act in relation to the Croton Aqueduct and other public works in the City of New York," passed June 3, 1872; and of an act of said Legislature, entitled "An act to provide for the Eastern Boulevard in the City of New York, and in relation to certain local improvements in connection therewith to amend chapter six hundred and twenty-six of the laws of eighteen hundred and seventy," passed May 16, 1873; and of an act of said Legislature, entitled "An act to provide for the laying out and improving of certain portions of the City and County of New York," passed April 24, 1865; and of all other statutes in such cases made and provided, the Counsel to the Corporation of the City of New York will apply to the Supreme Court, in the First Judicial District of the State of New York, at a special term of said Court, to be held in the New Court House in the City of New York, on Friday, the twenty-seventh day of March, 1874, at eleven o'clock in the forenoon of 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 and extent of the improvements hereby intended are the opening of a new avenue, intermediate the Avenue Saint Nicholas and Eighth avenue, from the easterly side of the Avenue Saint Nicholas at One hundred and thirty-fifth street, to One hundred and forty-first street.

Also, to the opening of new avenues intermediate the Avenue Saint Nicholas and Eighth avenue, from One hundred and forty-first street to One hundred and forty-fifth street.

Also, the opening of two new avenues intermediate the Avenue Saint Nicholas and Eighth avenue, from One hundred and forty-fifth street to One hundred and fifty-fifth street.

Also, the opening of Ninth Avenue, from the Avenue Saint Nicholas to One hundred and fifty-fifth street.

Also, the opening of One hundred and fifty-fifth street, from the Ninth avenue to the New Avenue easterly from Ninth avenue.

Also, the opening of a Public square or place, between One hundred and thirty-sixth street, and One hundred and thirty-seventh street, and between the Avenue Saint Nicholas and a new avenue.

Also, the opening of a New street or avenue, intermediate the Tenth avenue and Boulevard, from One hundred and thirty-sixth street to One hundred and forty-fourth street.

Also, 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 the Eighth 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, as the aforesaid proposed openings, widening and public square are shown and delineated on a certain map made by John J. Serrall, civil engineer, and filed in the office of the Commissioners of Public Parks, on the seventh day of March, 1868, and on the same day, in the office of the Street Commissioner of the City of New York.

Also, the widening of the Boulevard, on the westerly

side thereof, as now opened, between One hundred and seventh and One hundred and eighth streets, where said Boulevard crosses the Eleventh avenue, by the acquisition of all that piece or parcel of land bounded easterly by the westerly line of said Boulevard, as now opened, southerly by the northerly line of One hundred and seventh street, and westerly by a line running parallel with the westerly line of Eleventh avenue, and distant twenty-five feet westerly therefrom, as said parcel of land is shown and delineated on a certain map made by Gardner A. Sage, a city surveyor, and filed in the office of the Commissioners of Public Parks, on the 11th day of October, 1867, and in the office of the Register of the City and County of New York, on the 23d day of October, 1867.

Also, the opening of One hundred and twenty-third street, between the westerly line of Eighth avenue and the easterly line of Ninth avenue, and between the westerly line of Tenth avenue and the easterly line of the