

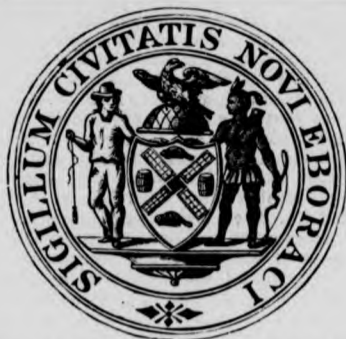
THE CITY RECORD.

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LEGISLATIVE DEPARTMENT.

STATED SESSION.

BOARD OF ALDERMEN.

MONDAY, July 14, 1873. }
3 o'clock, P. M. }

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

PRESENT :

Hon. Samuel B. H. Vance, President.
ALDERMEN.

Oliver P. C. Billings, Patrick Lysaght,
Stephen V. R. Cooper, Robert McCafferty,
John Falconer, John J. Morris,
Richard Flanagan, Oswald Ottendorfer,
Peter Kehr, John Reilly,
George Koch, Jenkins Van Schaick.

The minutes of the last meeting were read and approved.

PETITIONS.

By the President—
Demands of John W. Miller, James Anderson, Daniel Foley, and David Wallerstein, by their attorneys, for payment of award in the matter of opening and extending Madison avenue, north of One Hundred and Twenty-fourth street. Which were severally ordered on file.

MOTIONS AND RESOLUTIONS.

By Alderman McCafferty—
Resolved, That Joseph Finnie be and he is hereby appointed a Commissioner of Deeds, in and for the City and County of New York, in the place of Richard Bacon who has failed to qualify.

Which was adopted by the following vote:
Affirmative—The President, Aldermen Billings, Cooper, Falconer, Flanagan, Kehr, Koch, Lysaght, McCafferty, Morris, Ottendorfer, Reilly and Van Schaick—13.

By the same—
Resolved, That the vacant lots on east side of Fifth avenue, between Eighty-third and Eighty-fourth streets, 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 Charles A. Magnes be and he is hereby appointed a Commissioner of Deeds, in and for the City and County of New York, in place of Charles Daly, whose term of office has expired.

Referred to the Committee on Salaries and Offices.

By the same—
Resolved, That gas-mains be laid, and street-lamps lighted, in Sixty-third street and Madison avenues, under the direction of the Commissioner of Public Works.

Which was referred to the Committee on Public Works.

By the same—
Resolved, That permission be, and is hereby given to Mr. Walter Gurnee, to erect 2 bay windows on his premises, on the Northwest corner of 5th avenue and 50th street—one on 5th avenue and one on 50th street—under the direction of the Commissioner of Public Works, such permission to continue only during the pleasure of the Common Council.

Which was referred to the Committee on Public Works.

By the same—
Resolved, That the vacant lots on Sixty-sixth street, between Lexington and Fourth avenues, owned by C. Godfrey Gunther, 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 lighted, in Sixty-sixth street, between Lexington and Fourth avenues, under the direction of the Commissioner of Public Works.

Which was referred to the Committee on Public Works.

By the same—
Resolved, That Eighty-first street, from Fourth to Fifth avenue, 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.

By the same—
Resolved, That Jerome J. Collins be, and he is hereby appointed a City Surveyor.

Which was adopted.

By the same—
Resolved, That the vacant lots on Madison avenue, from Sixty-ninth to Seventieth street, and on Sixty-ninth and Seventieth streets, from Fourth to Fifth 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 Alderman Morris—
Resolved, That permission be, and the same is hereby given to the Dry Dock Savings Bank to project the south porch of the proposed new Bank Building on the Bowery, corner of Third street, not exceeding 3 feet 6 inches, and not more than one story high. Consent of adjoining property owners having been obtained for the distance required by law, and a diagram of the property being hereto annexed.

The work to be done under the direction of the Commissioner of Public Works, and the permission to continue only during the pleasure of the Common Council.

Which was adopted.

By Alderman Cooper—
Resolved, That Ninety-second street between Eighth and Ninth avenues, be regulated and graded, the curb and gutter stones set, and the sidewalks flagged where not already done, under the direction of the Commissioner of Public Works, and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on streets.

By the same—
Resolved, That the Commissioner of Public Works be, and he is hereby directed to erect an improved iron drinking fountain for man and beast, in front of No. 1503 Broadway.

Which was referred to the Committee on Public Works.

By the same—
Resolved, That the vacant Lot on the north side of Forty-eighth street, between Broadway and Eighth avenue, Ward No. 17, Block No. 49, be fenced in, under the direction of the Commissioner of Public Works, and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Public Works.

By Alderman Reilly—
Resolved, That George A. Moore be and he is hereby appointed a Commissioner of Deeds, in and for the City and County of New York, in place of James R. Adams, whose term of office has expired.

Which was adopted by the following vote:
Affirmative—The President, Aldermen Billings, Cooper, Falconer, Flanagan, Kehr, Koch, Lysaght, McCafferty, Morris, Ottendorfer, Reilly and Van Schaick—13.

By Alderman Lysaght—
Resolved, That 122d street, from Harlem River to 3d avenue, be paved with Belgian or trap-block pavement, and that, at the several intersecting streets and avenues, cross-walks 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.

By the same—
AN ORDINANCE, in relation to the care and use of markets.

The Mayor, Aldermen and Commonalty of the City of New York do ordain as follows :

Section 1. The Commissioner of Public Works of the City of New York is hereby charged with the duty of the inspection, care and regulation of the use of the markets in the City of New York, and to that end is empowered to transfer stalls and stands, to issue licenses, to grant permits, cause to be removed dirt and filth therefrom, and the cleansing thereof; and to adopt such rules and regulations as he may deem necessary to carry into effect the powers hereby given.

Sec. 2. All ordinances or resolutions of the Common Council, inconsistent or conflicting with the provisions of this ordinance, are hereby annulled, rescinded and repealed.

Sec. 3. This ordinance shall take effect immediately.

Which was referred to the Committee on Markets.

By the same—
Resolved, That John Lovelock be and he is hereby appointed a Commissioner of Deeds in and for the City and county of New York, in place of John S. Duffy, who has failed to qualify.

Which was adopted by the following vote :

Affirmative—The President, Aldermen Billings, Cooper, Falconer, Flanagan, Kehr, Koch, Lysaght, McCafferty, Morris, Ottendorfer Reilly and Van Schaick—13.

By Alderman Flanagan—
Resolved, That Thomas G. Byrnes, be and he is hereby appointed a Commissioner of Deeds in place of Michael Duffy who failed to qualify.

Which was adopted by the following vote :

Affirmative—The President, Aldermen Billings, Cooper, Falconer, Flanagan, Kehr, Koch, Lysaght, McCafferty, Morris, Ottendorfer, Reilly, and Van Schaick—13.

By Alderman Billings—

The Committee on Law Department of the Board of Aldermen, to whom was referred the annexed resolution authorizing the Clerk of the Common Council to lease premises on 125th street, between 3d and 4th avenues, for the use of the 9th District Civil and 5th District Police Court, respectfully

REPORT :

That, having examined the subject, they believe the proposed lease should be made without delay, it being unquestionably for the best interest of citizens and taxpayers. They therefore recommend the adoption of said resolution.

Resolved, That the Clerk of the Common Council of the City of New York, be authorized and directed to execute a lease on behalf of the City of New York, for so much of the premises situated on the north side of One hundred and twenty-fifth street, between Third and Fourth avenues in the City of New York, belonging to Messrs. W. T. and D. Blodgett, as may be necessary for the use of the Ninth District Civil Court, and the Fifth District Police Court, including prison accommodations, for a term of five years from the 1st day of August, 1873, at the annual rent of ten thousand dollars, payable quarterly, on the usual quarter days, with a condition in the lease that the said premises, are to be put in proper condition for occupancy for said courts, and are to be fitted up with the necessary cells and accommodations for prisoners at the expense of the owners, according to plans to be submitted subject to the approval of the said clerk and the Comptroller of the City of New York is hereby directed to pay said rent quarterly from the proper appropriation. The lease to contain a further condition, that immediate possession of the premises will be given, to enable the courts to be held, but that no rent shall be charged for such occupancy, until the building shall have been put in thorough order and condition to hold court therein.

S. R. COOPER,
O. P. C. BILLINGS,
Committee on Law Department.

Which was referred to Committee on Law Department.

REPORTS.

The Committee on Public Works to whom was referred the annexed resolution and ordinance authorizing the Commissioner of Public Works "to have Eighty-sixth street, between Eighth and Tenth avenues, brought up to the grade of September 2d, 1871, in such manner as he deems most advantageous to the public interests," respectfully

REPORT :

That upon investigation, your committee have ascertained that on the 25th of October, 1869, a contract was entered into for regulating grading, setting curb and gutter stones and flagging Eighty-sixth, from the Eighth to the Tenth avenue, up to the grade as then established; but, upon proceeding with the work it was ascertained that to grade the street as contracted for, serious danger was to be apprehended from the exposure of the large water mains, and a closer investigation satisfied the Street Department, there in charge of the work, that a grave error, to call it by no harsher term, was made in fixing the grades for the streets between Eighty-third and Ninety-third, and from the Eighth to the Tenth avenues. It was found to be indispensably necessary to alter the grades of all the streets and avenues above mentioned, and accordingly, by chap. 226 Laws of 1871, power and authority was given the Commissioner of Public Works, to do so. This was done as will appear by the grade maps now on file in the Department of Public Works, and approved by the Commissioner September 2d, 1871.

The regulating, grading, flagging, &c., of 86th street, then under contract and partly performed up to the old grade, now became a subject of embarrassment to the Department. If completed by the contractor, beyond question the curb, gutter and flag stones would have to be taken up, a new contract for filling up to the new grade of 1871, which at the Ninth avenue was 8 feet above the old one, would have to be made, and the curb, gutter and flag stones again put down—a proceeding which would probably double the assessment on the owners of property.

If the work was suspended until some arrangement could be made, either by taking the unfinished contract from the present contractor, and paying him for the amount of work actually performed, or permitting him to complete the work up to the new grade by a new agreement, at prices the same as the old contract, a great saving would be made to the owners, and a more satisfactory and expeditious conclusion made of the

whole work. Accordingly, at the instance of the engineer in charge, after consultation with the Commissioner of Public Works, the contractor suspended operations, and consented to wait the further action of that department.

After consultation with the counsel to the corporation, and by his advice, the resolution and ordinance referred to your committee was prepared and introduced into the Board, as the best method, by its passage, of providing for the completion of the work.

Believing that the work of regulating the street up to the grade as now established (that of 1871), setting the curb and gutter stones, and flagging the sidewalk, can be more economically and expeditiously performed by the present contractor, if permitted to go on with the work than by compromising with him, readvertising, reletting, and making a new contract therefor, as the stipulations of the present agreement provides for such a contingency, and prevents undue advantage being taken of the property owners, your committee are in favor of the adoption of the said resolution and ordinance, and respectfully recommend that such action be taken by your honorable body.

Resolved, That the Commissioner of Public Works be authorized to have Eighty-sixth street, between Eighth and Tenth avenues, brought up to the grade of September 2d, 1871, in such manner as he deems most advantageous to the public interest, under the direction of the said Commissioner of Public Works, and that the accompanying ordinance therefor be adopted.

GEORGE KOCH,
JOHN J. MORRIS,
Committee on Public Works.

On motion of Alderman Van Schaick, it was laid on the table, and ordered to be printed in the minutes.

G. O. 93.

The Committee on Public Works of the Board of Aldermen, to whom was referred the annexed petition for regulating, curbing, guttering, etc., Twelfth avenue from One hundred and twenty-ninth to One hundred and fifty-third streets respectively

REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the prayer of the petitioners be granted, and that the annexed resolution and ordinance be adopted.

Resolved, That Twelfth avenue from One hundred and twenty-ninth to One hundred and fifty-third streets, be regulated and graded, the curb and gutter stones set, and the sidewalk flagged where not already done, under the direction of the Commissioner of Public Works, and that the accompanying ordinance therefor be adopted.

GEORGE KOCH,
JOHN J. MORRIS,
Committee on Public Works.

Which was laid over.

G. O. 94.

The Committee on Public Works of the Board of Aldermen, to whom was recommended since the passage of the Charter the annexed resolution for removing the free drinking hydrant from southwest corner of Sixteenth street and Third avenue to northeast corner of Fourteenth street and Third avenue, respectfully

REPORT :

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend the adoption of said resolution :

Resolved, That the Commissioner of Public Works be and he is hereby directed to remove the free drinking hydrant now standing on the southwest corner of Sixteenth street and Third avenue, and place the same on the northeast corner of Fourteenth street and Third avenue, fifty feet east of Third avenue on Fourteenth.

GEORGE KOCH,
JOHN J. MORRIS,
Committee on Public Works.

Which was laid over.

The Committee on Public Works of the Board of Aldermen to whom was referred the annexed resolution from the Board of Assistant Aldermen, in favor of permitting Hugo Gorsch to place an iron post on the north-east corner of Bowery and Rivington street, respectfully report that, having examined the subject, they believe the proposed improvement to be necessary. They, therefore, recommend that the action of the Board of Assistant Aldermen, in adopting said resolution be concurred in.

Resolved, That permission be and the same is hereby given to Hugo Gorsch to place an iron post, to be used for a sign, on the line of the curb, on the north-east corner of Bowery and Rivington street, to be done at his own expense, and under the direction of the Commissioner of Public Works, such permission hereby given to remain only during the pleasure of the Common Council.

GEO. KOCH,
JOHN J. MORRIS,
Committee on Public Works.

Which was adopted.

The Committee on Salaries and Offices of the Board of Aldermen, to whom was referred the annexed resolution for appointing Calvin W. Smith a Commissioner of Deeds in the place of Morris Friedsam, whose resignation has been

