

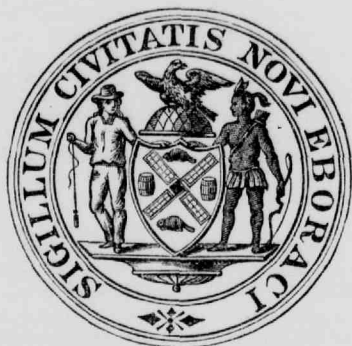
# THE CITY RECORD.

## OFFICIAL JOURNAL.

VOL. V.

NEW YORK, FRIDAY, AUGUST 17, 1877.

NUMBER 1,272.



### LEGISLATIVE DEPARTMENT.

#### BOARD OF ALDERMEN.

##### STATED SESSION.

THURSDAY, August 16, 1877, }  
2 o'clock P. M. }

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

##### PRESENT :

Hon. Henry D. Purroy, President :

##### ALDERMEN

Rufus B. Cowing,  
Ferdinand Ehrhart,  
John W. Guntzer,  
George Hall,  
William Joyce,  
Patrick Keenan,

William Lamb,  
Samuel A. Lewis,  
John J. Morris,  
Lewis J. Phillips,  
Joseph C. Pinckney,

Bryan Reilly,  
William Sauer,  
Thomas Sheils,  
Stephen N. Simonson,  
Michael Tuomey.

The minutes of the last meeting were read and approved.

##### PETITIONS.

By the President—

HEADQUARTERS FIRST DIVISION  
NATIONAL GUARD, S. N. Y.,  
NEW YORK, August 2, 1877. }

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

GENTLEMEN—The events of the past week have demonstrated the necessity of maintaining the efficiency of the National Guard. All large cities, and particularly New York, are exposed at all times, by reason of their containing a large number of vicious and reckless persons, to sudden and violent disturbances of the peace ; and the fact that the excellent management of our Police Force on the 25th ult. averted the scenes recently enacted in Baltimore and Pittsburgh, must not cause us to forget that the presence of a well-organized and disciplined National Guard in reserve exerted a very great moral influence on the occasion referred to, and that such a force is frequently essential to the preservation of law and order.

To maintain this organization in a state of efficiency, substantial and commodious armories are needed, and this is what the National Guard of this city has never had. Impressed with the importance of this question, an effort was made some years ago to have the city authorities empowered by legislative act to purchase or construct suitable buildings for the use and occupancy of their armed police, and thereby avoid the reckless extravagance being practiced in renting unsuitable buildings ; but nothing was accomplished until a recent Legislature, recognizing the economy of the plan, conveyed, in a revision of what is called the "Military Code," full and ample power, on certain conditions, to the Mayor, the Comptroller, and the Board of Aldermen, to lease and purchase lands, and to lease and erect buildings upon lands so leased or purchased, or upon any lands belonging to the City of New York other than the public squares and parks, suitable drill-rooms and armories for the National Guard of this city.

The object of this communication is to invite your attention to the provisions of the law referred to, and to ask for a reasonable exercise of your authority under it—Chapter 80, Laws of 1870, as amended by chapter 29, Laws of 1876, makes provisions for furnishing the organizations in the First Division with suitable armories at a less annual expenditure than has been heretofore made for unsuitable ones.

As the representative of the officers and men composing the First Division, who spend their time and money freely to maintain the organization in a state of efficiency to meet just such demands as were made upon them last week, I respectfully solicit your serious consideration of the subject of this communication.

Very respectfully yours,

ALEXANDER SHALER, Major-General.

Which was referred to the Committee on County Affairs.

By Alderman Sauer—

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

Your petitioners respectfully request that your Honorable Body establish a ferry from the foot of Twenty-third street, East river, in the City of New York, to the foot of Main street, in the Fourth Ward of Long Island City, late Astoria.

Your petitioners respectfully show that the increase of population and business in that part of Long Island require additional facilities for the transportation of teams, passengers, and freight from the upper part of Long Island City to some central point convenient to the lower part of New York City.

Dated August 14, 1877.

Jas. Tisdale.  
Edward M. Whitney.  
Chas. H. Howell.  
John H. Long, Chief Engineer U. S. Navy.  
Henry Mewethen.  
William Crouthers.  
John Quinn.  
W. W. Hallett.  
John Horfmann.  
Michael Diehl.  
John Mackie.

John W. Riehl.  
D. S. Pearsall.  
R. T. Kelly.  
Geo. T. Kelly.  
James D. Torrey.  
W. D. Foster.  
James R. Rodman.  
Bailey Leach.  
J. E. Lockland.  
A. L. Hatch.

Which was referred to the Committee on Ferries.

By the President—

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

GENTLEMEN—On the 20th of June last I offered the two upper stories of my building, Nos. 108 and 110 West Twenty-fourth street, for armory purposes, at the yearly rent of \$5,500.

Understanding that Battery K desires these quarters, provided the first story of the building can be obtained for its Artillery, I will make all necessary alterations, and lease the entire building (four stories and basement) for the sum of \$10,000 per year.

There will be sufficient accommodations for both Battery K and the Washington Gray Troupe.  
New York, August 14, 1877.

Yours, respectfully,

A. B. DARLING.

Which was referred to the Committee on County Affairs.

By Alderman Joyce—

NEW YORK, 23d May, 1877.

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

GENTLEMEN—That the owners of property, particularly those who have built houses during the last twenty years and more, in the vicinity of Ninth, Tenth and Eleventh avenues, north and south from Eighty-second street, such location of our houses having been made from the original monument stones by authorized City Surveyors ; that by the progress of grading the streets and avenues, many of these original monument stones have been dug or blasted down ; that we are informed that resurveys have been made under the direction of the Commissioner of Public Works, and proposing to change these original lines, placed there under an act of the Legislature of 3d April, 1807, and accepted by the city from the State authorities ; and all the officers of the city requiring their use for the purpose of establishing the boundary lines of city and individual property, have used such monuments as the established authority.

That the work of setting these monument or index stones was completed in the year A. D. 1819 (covering since then a period of fifty-eight years), and by the recent action before referred to by the Commissioner of Public Works, or under his sanction, the lines of these avenues are proposed to be changed about one foot to the west.

That the removal of the ancient landmarks set by our forefathers was a crime denounced in the first of common law.

That it will be readily understood that if such change should be made it would materially damage all the property now built upon, and also interfere with boundary lines of property located by this authority ; and that we fully believe that no such counter authority is given to the Commissioner of Public Works, and desire that a full and legal investigation should be made by direction from your Honorable Body.

Respectfully submitted,

S. C. Curry, one brick house and three lots south side Seventy-sixth and north side Seventy-fifth streets, between Boulevard and Eleventh avenue.

Christian Kruse, Eighty-third street, Boulevard, two houses and fourteen lots.

Estate of Thomas Hyatt, one house fourteen lots Eighty-third street and Boulevard, Eleventh avenue, Eighty-third street.

Francis Jordan, one house and three lots Eighty-third street, Tenth avenue and Boulevard.

David B. Reid, two houses five lots Eighty-third street, Ninth and Tenth avenues.

Henry Kelly, Seventy-fifth street and Boulevard, one house and ten lots.

David Clarke, Seventy-seventh street and Boulevard, one house and eight lots between Tenth and Eleventh avenues.

##### Affidavit.

James E. Serrell, being duly affirmed, says that he is one of the City Surveyors in and for the City and County of New York, and has been such for the last thirty-two years last past.

That he has read the foregoing petition relating to the monument stones indicating the lines of the streets and avenues, and of his own knowledge knows that the said petition is substantially correct, and gives the following instances in corroboration of the facts therein set forth, viz. : The differences between the old and new lines are (and the ancient "terminus" now stands guard) at—

Eighty-first street and Tenth avenue, about 10 inches.

Seventy-fifth street and Tenth avenue, about 8 inches.

Seventy-fourth street and Tenth avenue, about 7 inches.

Seventy-second and Seventy-first streets, old and original monument stones are below the grade of Tenth avenue, and not yet uncovered.

JAMES E. SERRELL, City Surveyor,  
No. 244 West Forty-ninth street.

Affirmed before me, this 4th }

day of August, 1877.

EDWIN CLARK, Notary Public, N. Y. Co.

Which was referred to the Committee on Public Works.

##### 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, August 15, 1877. }

To the Honorable the Common Council :

GENTLEMEN—I herewith return, without my approval, G. O. 210, "To lay gas-mains in Sixty-second street, between Eighth and Eleventh avenues."

I am of the opinion that the lighting of Sixty-second street, between the Eighth and the Tenth avenues, is necessary, but consider the lighting of the block between the Tenth and the Eleventh avenues as premature and unnecessary, as Sixty-second street, between the Tenth and Eleventh avenues, is not yet regulated or graded, and there are no houses on this block.

I am therefore constrained to return the resolution without my approval, and would recommend that an amended resolution be adopted, providing for the lighting of Sixty-second street, between the Eighth and the Tenth avenues.

SMITH ELY, JR., Mayor.

Resolved, That gas-mains be laid, lamp-posts erected, and street-lamps lighted in Sixty-second street, between Eighth and Eleventh avenues, under the direction of the Commissioner of Public Works.

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

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

EXECUTIVE DEPARTMENT—CITY HALL, }  
NEW YORK, August 15, 1877. }

To the Honorable the Common Council :

GENTLEMEN—I herewith return, without my approval, G. O. 218, "To lay gas-mains in One Hundred and Seventh street, between First and Second avenues."

This resolution is clearly premature, as the street is not regulated or graded, and there is not a house of any description on the block, and I am therefore constrained to withhold my approval.

SMITH ELY, JR., Mayor.

Resolved, That gas-mains be laid, lamp-posts erected, and street-lamps lighted in One Hundred and Seventh street, between First and Second avenues, under the direction of the Commissioner of Public Works.

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

Alderman Morris was here called to the chair.

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

EXECUTIVE DEPARTMENT—CITY HALL, }  
NEW YORK, August 15, 1877. }

To the Honorable the Common Council :

GENTLEMEN—I herewith return, without my approval, G. O. 80, "To light One Hundred and Twenty-ninth street, between the Boulevard and Twelfth avenue, with gas."

I am of the opinion that this resolution is premature. There is only one house and a factory on the street. The blocks in this neighborhood are short, and as there are lamps on all the corners of Manhattan street, and also on the Boulevard corner, I think these lamps afford the necessary light for the present emergencies, and am therefore constrained to withhold my approval.

SMITH ELY, JR., Mayor.

Resolved, That gas-mains be laid, lamp-posts erected, and street-lamps lighted in One Hundred and Twenty-ninth street, between the Boulevard and Twelfth avenue, under the direction of the Commissioner of Public Works.

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

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

EXECUTIVE DEPARTMENT—CITY HALL, }  
NEW YORK, August 15, 1877. }

To the Honorable the Common Council :

GENTLEMEN—I herewith return, without my approval, resolution "To permit Hannah Dermody to keep a stand for the sale of fruit in front of No. 51 Madison street."

According to the opinion of the Counsel to the Corporation, the Common Council have not had the right since the passage of the Charter of 1873 to grant permits for stands or other obstructions on the sidewalks or public streets, and I am therefore constrained to withhold my approval.

SMITH ELY, JR., Mayor.

Resolved, That permission be and the same is hereby given to Hannah Dermody to keep a stand for the sale of fruit in front of No. 51 Madison street, she having obtained permission from the owners of the premises; such permission to continue only during the pleasure of the Common Council.

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

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

EXECUTIVE DEPARTMENT—CITY HALL, }  
NEW YORK, August 15, 1877. }

To the Honorable the Common Council:

GENTLEMEN—I herewith return, without my approval, resolution "To permit E. Mullen to keep a stand for the sale of ice cream in front of 208 Chatham square, the stand not to exceed in dimensions more than two by four feet."

According to the opinion of the Counsel to the Corporation, the Common Council have not had the right since the passage of the Charter of 1873 to grant permits for stands or other obstructions on the sidewalks, and I am therefore constrained to withhold my approval.

SMITH ELY, JR., Mayor.

Resolved, That permission be and the same is hereby given to E. Mullen to keep a stand for the sale of ice cream in front of 208 Chatham square, the stand not to exceed in dimensions more than two by four feet, he having obtained permission from the owner of the premises; such permission to continue only during the pleasure of the Common Council.

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

#### INVITATIONS.

The President pro tem. laid before the Board an invitation to attend the Third Annual Festival of the "Volkstest-Verein der Hessen," to be held at Rabenstein's Harlem River Park, One Hundred and Twenty-sixth street and Second avenue, on Monday, Tuesday, and Wednesday, August 20, 21, and 22, 1877.

Which was accepted.

#### MOTIONS AND RESOLUTIONS.

By Alderman Lewis—

Resolved, That a ferry be and is hereby established to run from Fulton Market slip, New York City, to Mott Haven, the franchise to be sold at public auction to the highest bidder.

The President moved to amend by inserting after the words "Mott Haven" the words "with an intermediate landing at or near Eighty-fourth street, East river."

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

Which was decided in the affirmative.

The President pro tem. then put the question whether the Board would agree with said resolution as amended.

Which was decided in the affirmative.

By the same—

Resolved, That a ferry be and is hereby established to run from Peck slip, New York City, to the foot of One Hundred and Thirtieth street, at Third avenue, Harlem, the franchise to be sold at public auction to the highest bidder.

The President moved to amend by inserting after the word "Harlem" the words "with an intermediate landing at or near Eighty-fourth street, East river."

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

Which was decided in the affirmative.

The President pro tem. then put the question whether the Board would agree with said resolution as amended.

Which was decided in the affirmative.

By Alderman Lamb—

Resolved, That the crosswalk across Christopher street, at Greenwich avenue, be repaired immediately and placed upon a proper grade, under the direction of the Commissioner of Public Works.

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

Which was decided in the affirmative.

(G. O. 239.)

By Alderman Tuomey—

Resolved, That an improved drinking-hydrant be placed on the northwest corner of Ninety-ninth street and Eighth avenue, under the direction of the Commissioner of Public Works.

Which was laid over.

By Alderman Morris—

Resolved, That when this Board adjourns, it do so to meet on the first Tuesday in September, at 2 o'clock P. M.

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

Which was decided in the affirmative.

By Alderman Keenan—

Whereas, An order or judgment of the Superior Court of this city, dated the eleventh day of January, eighteen hundred and seventy-six, was served on the officers of this Board, declaring or in some manner pertaining to the rights and powers of the New York City Central Underground Railway Company and its successors, to make an underground railway in this city, and an application is now pending before this Board for certain privileges in connection therewith; it is therefore

Resolved, That his Honor the Mayor be requested to obtain the opinion of the Corporation Counsel concerning the rights and powers claimed as aforesaid, for the information and guidance of this Board in any action it may take in relation thereto.

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

Which was decided in the affirmative.

By the President—

Whereas, The importance to this city, and many of its inhabitants, of direct communication by water, between the upper, lower, and intermediate portions of this city, cannot be overestimated; be it therefore

Resolved, That the Commissioners of the Sinking Fund be and are hereby directed, in advertising the sale of the franchise for a ferry between Harlem and Peck slip, and from Mott Haven to Fulton Market slip, to stipulate for a landing at or near the foot of Eighty-fourth street, East river, by the boats used by both ferries, each way, as often as the public convenience may require, but not less than once every hour, between the hours of 7 and 9 A. M. and 3 and 7 P. M.; and the said Commissioners of the Sinking Fund are hereby directed not to execute any lease for either of said ferries unless the stipulation above mentioned is included in such lease.

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

Which was decided in the affirmative.

By Alderman Tuomey—

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

Which was referred to the Committee on Law Department.

By Alderman Morris—

Resolved, That the Commissioner of Public Works be and he is hereby requested to include in his Departmental Estimate for the year 1878 a separate amount sufficient to place all the armories in the City of New York occupied by the First Division of the State National Guard in a thorough and complete state of repair.

Which was referred to the Committee on County Affairs.

By Alderman Hall—

Resolved, That Jeremiah M. Wood be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York.

Which was referred to the Committee on Law Department.

(G. O. 240.)

By Alderman Tuomey—

Resolved, That Croton mains be laid in Seventy-fifth street, between Fourth and Madison avenues, under the direction of the Commissioner of Public Works, as provided in section 2, chapter 477, Laws of 1875.

Which was laid over.

By Alderman Joyce—

Resolved, That permission be and the same is hereby given to C. Gedney to erect an ornamental lamp and lamp-post in front of No. 1266 Broadway, the post not to exceed the usual dimensions, 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.

Alderman Pinckney moved to amend by inserting "provided the gas be supplied from his own meter."

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

Which was decided in the affirmative.

The President pro tem. then put the question whether the Board would agree with said resolution as amended.

Which was decided in the affirmative.

By Alderman Morris—

Resolved, That section 49 of chapter XLV. of the Ordinances of 1866 be and is hereby amended so as to read as follows:

Section 49. No person shall swim or bathe in any of the waters within the jurisdiction of the City of New York unless covered with a bathing suite, so as to prevent any indecent exposure of his or her person, under a penalty of ten dollars for each offense; nor shall any person dress or undress in any place in said city, exposed to view, under a like penalty.

Alderman Sheils moved to amend by striking out the word "ten" before the word "dollars."

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

Which was decided in the affirmative.

Alderman Lewis moved to amend by inserting after the words "New York" the words "except in public or private bathing-houses."

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

Which was decided in the affirmative.

The President pro tem. then put the question whether the Board would agree with said resolution as amended.

Which was decided in the affirmative.

By Alderman Slevin—

Resolved, That John C. Molony be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Thomas F. Byrne, who has failed to qualify.

Which was referred to the Committee on Law Department.

By Alderman Salmon—

Resolved, That his Honor the Mayor be and he is hereby respectfully requested to return to this Board, for correction, a resolution and ordinance for repairing crosswalk on the west side of Tenth avenue and Thirtieth street.

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

Which was decided in the affirmative.

By Alderman Tuomey—

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

Which was referred to the Committee on Public Works.

By the President—

Resolved, That One Hundred and Forty-seventh street, from St. Nicholas avenue to Twelfth avenue, be regulated and graded, the curb and gutter stones set, and the sidewalks flagged a space four feet wide through the centre thereof, where not already done, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Public Works.

By the same—

Resolved, That One Hundred and Thirty-seventh street, from Fifth to Eighth avenue, be regulated and graded, the curb and gutter stones set, and the sidewalks flagged a space four feet wide through the centre thereof, where not already done, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Public Works.

By Alderman Sauer—

Resolved, That permission be and the same is hereby given to William Murphy to keep a wagon for the sale of fruit, etc., a few hours in the evening on the southeast corner of Second avenue and Thirty-third street; such permission to continue only during the pleasure of the Common Council.

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

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

Affirmative—The President, Aldermen Ehrhart, Guntzer, Hall, Joyce, Keenan, Lamb, Lewis, Morris, Phillips, Reilly, Sauer, Sheils, Simonson, and Tuomey—15.

Negative—Aldermen Cowing and Pinckney—2.

By Alderman Simonson—

Resolved, That gas-mains be laid, lamp-posts erected, and street-lamps lighted in Tenth avenue, between Ninety-eighth and One Hundred and First streets, under the direction of the Commissioner of Public Works.

To the Honorable Board of Aldermen:

We, the undersigned, property-owners and residents on the line of Tenth avenue, between Ninety-eighth and One Hundred and First streets, most respectfully petition your Honorable Body that you pass an ordinance to have gas-mains laid, lamp-posts erected, and street-lamps lighted in Tenth avenue, from Ninety-eighth street to One Hundred and First street.

And your petitioners will ever pray.

C. G. Tomlinson, 10th ave., between 99th and 100th sts.

Wm. H. Back, 100th and 101sts., 10th ave.

Samuel W. Kinnaird, 10th ave., 100th and 101st sts.

John Back, 10th ave., 98th st.

John Cokely, 100th st., 10th ave.

Ralph Townsend, 10th ave., 101st st.

B. L. Shaide, 10th ave., 99th st.

George F. Back, 10th ave., 99th and 100th st.

G. Didur, 10th ave., 99th st.

David Taylor, 10th ave., 99th and 100th st.

John W. Back, 99th st., 10th ave.

John Tully, 10th ave., 100th and 101st st.

Charles H. Williams, 99th st., 100th st., 10th ave.

Wm. Peters, representing 8 lots between 99th and 101st sts.

William H. Roff, 10th ave., 99th and 100th sts.

Which was referred to the Committee on Public Works.

By the same—

Resolved, That permission be and the same is hereby given to Louis Brenner to place a watering-trough on the south side of Fortieth street, about forty feet west of Eleventh avenue; the same to be done at his own expense and under the direction of the Commissioner of Public Works.

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

Which was decided in the affirmative.

By Alderman Sheils—

Resolved, That the United States Inspectors of Vessels for this port be and they are hereby respectfully requested to compel owners of steamboats and barges, and all other vessels used in the transportation of passengers, whether upon regular routes or for excursion purposes, to use "gang-planks" with hand railings on each side, in order to prevent accidents to such passengers in going on board or leaving every such vessel arriving at or departing from any of the wharves or piers of this city.

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

Which was decided in the affirmative.

By the same—

Resolved, That permission be and the same is hereby given to Old John Street M. E. Church to erect an ornamental lamp-post and lamp in front of their premises Nos. 44 and 46 John street, the post not to exceed the usual dimensions, the work to be done at their own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

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

Which was decided in the affirmative.

By Alderman Sauer—

Resolved, That permission be and the same is hereby given to Messrs. Merritts to place and keep a small sign on the southwest corner of Ninth street and Fourth avenue, the work to be done at their own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

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

Which was decided in the affirmative.

By Alderman Morris—

Resolved, That A. Huyler De Motte be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York.

Which was referred to the Committee on Law Department.

By Alderman Sauer—

Resolved, That Henry M. Halsye be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York.

Which was referred to the Committee on Law Department.

(G. O. 241.)

By Alderman Tuomey—

Resolved, That the Commissioner of Public Works be and he is hereby respectfully requested to place a lamp and lamp-post on the northwest corner of Fifth avenue and Forty-second street.

Which was laid over.

FRANCIS J. TWOMEY, Clerk Common Council.  
Which was referred to the Committee on Finance.

The President pro tem. laid before the Board the following communication from the Department of Health :

HEALTH DEPARTMENT—No. 301 MOTT STREET, }  
NEW YORK, July 31, 1877.

FRANCIS J. TWOMEY, Esq., Clerk of the Common Council :

SIR—At a meeting of the Board of Health, held this day, it was Resolved, That the report of the Sanitary Committee on the condition of Harlem Flats, be and is hereby approved and adopted, and that a copy be forwarded the Honorable the Board of Aldermen, in compliance with resolution of the 19th instant.  
(A true copy.)

EMMONS CLARK, Secretary.

Report of the Sanitary Committee on the Nuisances at the foot of Ninety-fifth street and the East river, and the adjacent district.

HEALTH DEPARTMENT OF THE CITY OF NEW YORK, }  
NEW YORK, July 31, 1877.

To the Board of Health of the City of New York :

GENTLEMEN—Your Committee has been constantly informed with regard to the condition of the city in the neighborhood of Ninety-fifth street and the East river, and no effort has been spared in the past to secure its improvement.

As the name "Harlem Flats" indicates, this district consisted originally of low lands partially under water at high tide. The flats extended from Ninety-second street north for a mile or more, and from the East river as far west at same points as Fifth avenue. The extension of Madison, Fourth, Lexington, Third, Second, and First avenues, and of the cross streets, by high causeways, resulted in the damming of the tide-waters and the establishment of stagnant ponds. This evil was aggravated by the use of filling on the streets, and also on some of the blocks, which was more or less contaminated by garbage and other refuse.

The present Board of Health organized in 1873 and immediately turned its attention to these Flats. Since that time the Sanitary Inspectors have been constantly on the alert, preventing the use of offensive materials for filling, making complaints on which were based orders upon owners to fill their lands above high-water mark, and preparing drainage certificates which were forwarded to the Department of Public Works. The efforts of the Board have been measurably successful, and the condition of the district has been very much improved. Many obstacles have, however, been encountered which have prevented all the improvements ordered by the Board from being executed. Private owners have refused to obey the orders of the Board, and tedious litigation has resulted, the cases being defended in the courts and finally going up to the Court of Appeals. Pending the results of this litigation and in consequence of one adverse decision by the Court of Common Pleas in one of these Harlem Flat cases, this Department has hesitated to renew the efforts which it had already made to use its utmost power and authority in this district. We are also informed that by reason of existing laws the Department of Public Works has not been able to execute the filling and drainage specified in the certificates forwarded by the Board of Health. While it is evident that the sanitary condition of the whole district is unsatisfactory, yet it is easily demonstrated that the special nuisances which have been mentioned are neither the real causes of the annoyances suffered by the citizens, nor do they in fact exist as represented.

The fertilizer factory on One Hundred and Sixth street, for instance, was closed by order of this Board over two months ago, as soon as the offensive nature of the operations there conducted became apparent. Since that time there has been no manufacturing conducted there; the only work performed being the barreling and bagging of the finished material on hand. No such manufacture is permitted within the city limits, nor are there any other offensive factories in the district.

For the removal of manure from the city it is necessary to indicate certain docks. The dock at the foot of East Ninety-fifth street seemed to be less objectionable for this purpose than any other, and was so indicated. It is not the intention of this Department to permit the accumulation of manure and stable straw within the city limits; but the practical obstacles in the way of its daily removal throughout the entire year have thus far rendered this subject one of the most difficult to manage. Consequently there has been at two or three points an accumulation of these materials during the past winter months. This, however, is one of the minor evils affecting this district. The night soil boat at the foot of East Ninety-fifth street is not in any way objectionable, and no one would be aware of the peculiar character of its contents from any offensive odors emanating from it. Your Committee is aware of the real causes of the annoyance experienced by the residents of this portion of the city.

1st. The sewer in First avenue runs north and south and discharges its contents through two large openings at One Hundredth street upon the tidal lands between the avenue and the East river. The sewage discharged at this point is largely supplied by the breweries further south, and at low tide diffuses a most offensive odor of sour and decomposing vegetable matter, brewers' grains, etc., together with sewage of the usual character. These odors can be often distinctly recognized west of Third avenue. This evil can only be remedied by the extension of the sewer to the East river, and the filling in of the tidal lands to a height of several feet above the highest high-water mark, the difficulties in the way of the accomplishment of the improvements we have already explained. It is quite possible that new legislation will be required to secure the permanent work which is necessary. In July, 1875, the Board, after exhausting all other means, attempted to fill the worst of the stagnant ponds by its own agents, but after filling two or three of them, was obliged to abandon the work on account of the impossibility of securing the necessary funds to meet the expense.

2d. The construction of the necessary sewers, which is now going on, involves the disturbance and turning up not only of the filling, but of the original mud of the flats, which is very offensive, and disseminates odors which have undoubtedly contributed, from time to time, to the annoyance of the neighborhood.

3d. The peculiarly offensive odors of sludge acid, from the fertilizer works on Hunter's Point and Newtown Creek, are often wafted over the entire area by southeasterly winds.

4th. A very offensive odor was perceived at times in the district, which your Committee recognized as peculiar to the refuse from the manufacture of naphtha or petroleum gas. As there are no gas works in this part of the city where such gas is manufactured, and as there were no deposits of refuse visible, it was for some time impossible to explain the source of this particular nuisance. On some of the cross streets in the district filling is going on with what appears to be fresh cellar dirt. Your Committee succeeded in locating the peculiar stench at some points on this filling, and finally ascertained that the refuse purifying material of the Mutual Gas Works at East Twelfth street, which has the texture, color, and general appearance of cellar dirt, has been brought on scows and used for filling. The contractor has been directed to bring no more of this material into the district, and to cover that already there with fresh earth.

In conclusion, we would say that the nuisances which we have indicated are for the most part beyond the control of the Health Department at this time, and that this Board has done and is doing all that it can with the means at its command to reduce them to a minimum. In fact, the Harlem Flat district cannot properly be considered healthful until the tide-water is shut out, all the holes which retain stagnant water filled up, a comprehensive system of sewers and drains established, and the level of the entire area raised by filling with good earth several feet above the highest high-water mark. This Board has renewed its orders to the Inspectors to call the attention of the Police to all violations of the Sanitary Code in the dumping of garbage and other offensive refuse in this district; has requested a special detail of Patrolmen to prevent the dumping of manure and stable straw upon the dock or adjacent lands at the foot of East Ninety-fifth street; has requested the Department of Public Works to extend the sewers at the foot of One Hundredth street to low-water mark, and will request the Department of Docks, as soon as cooler weather warrants it, to dredge that part of the river which has been filled with refuse from the sewer.

Respectfully submitted,

E. G. JANEWAY,  
Chairman Sanitary Committee.  
C. F. CHANDLER,  
Commissioner and President.

(A true copy.)

EMMONS CLARK, Secretary.

Which was ordered to be printed in the minutes.

The President pro tem. laid before the Board the following communication from the Department of Public Health :

HEALTH DEPARTMENT, No. 301 MOTT STREET, }  
NEW YORK, July 31, 1877.

FRANCIS J. TWOMEY, Esq., Clerk to the Common Council :

SIR—At a meeting of the Board of Health, held this day, it was Resolved, That a copy of the report of Sanitary Inspector Viele on the condition of sidewalk in Fifty-ninth street, extending 150 feet east from Fifth avenue, be forwarded to the Honorable the Common Council for the necessary action.

A true copy.

EMMONS CLARK, Secretary.

To the Board of Health of the Health Department :

I, Aug. Viele, holding the position of Sanitary Inspector in the Health Department in the City of New York, do report : That on the 27th day of July, 1877, I did inspect carefully, and personally examined the premises situated south side of Fifty-ninth street, in the City of New York, and found the facts to be as follows : Said premises consist of a  
of which residing at is  
and were found in a condition dangerous to life and detrimental to health, for the following reasons, viz. : Sidewalks south side of Fifty-ninth street, extending 150 feet east from Fifth avenue, is in a

dangerous condition, not being curbed or flagged, all rain-fall and surface-water escapes into and is discharged in cellars of abandoned and unoccupied and unfinished buildings.

Would suggest that the walk be filled, graded, and flagged.  
(A true copy.)

EMMONS CLARK, Secretary.

Dated 28th July, 1877.

Sworn to before me, this 30th day of July, 1877.

AUG. VIELE, M. D., Sanitary Inspector.

W. A. SMALLEY, Notary Public.

Which was referred to the Committee on Public Works.

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

CITY OF NEW YORK—DEPARTMENT OF FINANCE, }  
COMPTROLLER'S OFFICE, July 28, 1877.

To the Honorable the Board of Aldermen :

Weekly statement, showing the appropriations made under the authority contained in section 112, chapter 335, Laws of 1873, for carrying on the Common Council from January 1 to December 31, 1877, both days inclusive, and of the payments made up to and including the date hereof, for and on account of each appropriation.

Title of Appropriations.	Am't of Appropriations.	Payments.
City Contingencies.....	\$5,000 00	\$241 65
Contingencies—Clerk of the Common Council.....	500 00	92 78
Salaries—Common Council.....	109,000 00	63,874 23

JOHN KELLY, Comptroller.

Which was ordered on file.

The President pro tem. laid before the Board the following communication from the Clerk of the Marine Court :

THE MARINE COURT OF THE CITY OF NEW YORK, }  
NEW YORK, August 4, 1877.

To the Honorable the Board of Aldermen :

In compliance with notification from the Comptroller, and in conformity with the provisions of the laws cited in his circular of the 25th July, 1877, the annexed Departmental Estimate, covering the expenses of the Marine Court of the City of New York for the year 1878, is submitted to the Board of Estimate and Apportionment :

One Chief Justice and five Justices, at \$10,000 each per annum.....	\$60,000 00
The Clerk, per annum.....	4,000 00
One Deputy Clerk, per annum.....	3,500 00
Two Deputy Clerks, per annum, each, \$3,000.....	6,000 00
Ten Assistant Clerks, " " 2,000.....	20,000 00
Three Stenographers, " " 2,000.....	6,000 00
One Interpreter, at \$1,500 per annum.....	1,500 00
Thirteen Attendants, at \$1,200 per annum each.....	15,600 00
Necessary books of legal record and reference for Library.....	250 00
	\$116,850 00

Respectfully submitted,

JOHN SAVAGE, Clerk.

Which was referred to the Committee on Finance.

The President pro tem. laid before the Board the following communication from the Department of County Clerk :

COUNTY CLERK'S OFFICE, NEW COUNTY COURT-HOUSE, }  
NEW YORK, July 31, 1877.

Hon. HENRY D. PURROY, President Board of Aldermen :

DEAR SIR—Herewith I have the honor to inclose you a list of the names of Commissioners of Deeds whose terms of office will expire during the month of August, 1877.

Very respectfully yours,

HENRY A. GUMBLETON, Clerk.

List of Commissioners whose term of office expire during August, 1877.

Name.	Term Expires.
William Abbott.....	August 3, 1877.
Joseph F. Arnold.....	August 21, 1877.

Which was referred to the Committee on Law Department.

The President pro tem. laid before the Board the following communication from the Third District Civil Court :

Departmental Estimate of the Third District Civil Court, for the year 1878.

Salaries—One Justice.....	\$6,000 00
" One Clerk.....	3,000 00
" One Assistant Clerk.....	3,000 00
" One Stenographer.....	2,000 00
" One Interpreter.....	1,200 00
" Two Attendants at \$1,200.....	2,400 00
	\$17,600 00
Law Books (absolutely necessary).....	500 00
Incidentals.....	100 00
	\$18,200 00

Provision is made in the estimates of other Departments for our printing, stationery, fuel, furniture, etc.

In regard to the item for law books, we have absolutely none of any value and have almost constant need of standard works to which to refer.

Respectfully,

GEO. W. PARKER, Justice.

New York, August 7, 1877.

Which was referred to the Committee on Finance.

The President pro tem. laid before the Board the following communication from the Department of Charities and Correction :

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,  
COMMISSIONERS' OFFICE, 66 THIRD AVENUE, }  
NEW YORK, August 11, 1877.

Hon. HENRY D. PURROY, President Board of Aldermen :

SIR—The Commissioners of Public Charities and Correction respectfully represent to the Honorable Common Council, that on a report from the Fire Department recommending that a six-inch water-pipe be laid on Ward's Island and hydrants placed thereon, for the protection of the Insane Asylum and Homoeopathic Hospital against fire, the inclosed copy of a communication from the Commissioner of Public Works, with resolution authorizing the work to be done, is submitted for the favorable action of the Honorable Board of Aldermen.

By order,

JOSHUA PHILLIPS, Secretary.

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, }  
NEW YORK, August 9, 1877.

To the Honorable the Commissioners of Public Charities and Correction :

GENTLEMEN—I have examined into the subject of your request of 28th ult., that a six-inch water-pipe be laid in Ward's Island to the buildings occupied by your Department, and fire hydrants placed thereon, and find it proper that the same be done. Under chapter 477 of the Laws of 1875, however, the work must be authorized by resolution of the Common Council, approved by the Mayor, and if you will have the inclosed draft of resolution introduced and passed, this Department will proceed to lay the pipe and place the hydrants as soon thereafter as practicable.

Very respectfully,

ALLAN CAMPBELL,

Commissioner of Public Works.

Resolved, That the Commissioner of Public Works be authorized to have a six-inch water-pipe, with stop-cocks, hydrants, etc., laid on Ward's Island, from the end of the present pipe, to, and for the protection of the New York City Asylum for the Insane and Homoeopathic Hospital against fire, in pursuance of chapter 477, section 2, Laws of 1875.

Which was referred to the Committee on Public Works.

The President pro tem. laid before the Board the following communication from the Department of Public Works:

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,  
NEW YORK, July 30, 1877.

To the Honorable the Board of Aldermen:

GENTLEMEN—In accordance with your resolution of March 27, ult., approved April 4, ult., this Department has procured a room at the southeast corner of Grand and Centre streets, and has had the same fitted up with the necessary apparatus for testing the illuminating power of the gas supplied to the city by the several gas-light companies, and the consuming capacity of the burners on the public lamps.

At this place the gases of the New York, Manhattan, New York Mutual, and Municipal Gas-light Companies can be examined. The apparatus is of the most approved pattern and under the direction of a competent gas examiner. Weekly reports of the results of the examinations will be published in the CITY RECORD in connection with the regular weekly reports of the Department.

As soon as practicable a room will be procured and fitted up on Seventy-ninth street, for the examination of the gas furnished by the Metropolitan and Harlem Gas-light Companies.

You are respectfully invited to examine the process of testing the gas and burners, the rooms being open for inspection at any time on application to the Superintendent of Lamps and Gas.

Very respectfully,

ALLAN CAMPBELL,  
Commissioner of Public Works.

Which was ordered on file.

The President pro tem. laid before the Board the following communication from the Department of Public Works:

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,  
NEW YORK, August 13, 1877.

To the Honorable the Board of Aldermen:

GENTLEMEN—In reply to your resolution, approved June 13, ult., requesting me to report what measures are necessary to be taken to afford means of travel for pedestrians from the acclivity at Forty-third street and First avenue to the foot of said street, I would state that the best means of affording such transit would be the construction of a retaining wall on the westerly line of First avenue, with a suitable stairway of stone from the street to the avenue, similar to the structure at Fifty-first street and Avenue A. The expense of this work is estimated at \$7,000.

It is proper to state that the street is now protected by a fence at its easterly end, and that there is a good wooden stairway to the avenue for the accommodation of pedestrians.

Very respectfully,

ALLAN CAMPBELL, Commissioner of Public Works.

Which was referred to the Committee on Public Works.

The President pro tem. laid before the Board the following communication from the Department of Public Works:

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,  
NEW YORK, August 8, 1877.

To the Honorable the Board of Aldermen:

GENTLEMEN—I am in receipt of your resolution, approved on the 27th ult., directing me "to at once take steps to put the several drinking fountains in different parts of the city in proper working order, so that they will answer the purposes for which they were erected, and to remove the obstructions which hide any of them from public view."

I beg to inform you that after a thorough inspection, the Water Purveyor reports that all the drinking fountains are in good working order, and that none of them are hidden from public view by obstructions.

Very respectfully,

ALLAN CAMPBELL,  
Commissioner of Public Works.

Which was ordered on file.

The President pro tem. laid before the Board the following communication from the Department of Public Works:

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,  
NEW YORK, AUGUST 8, 1877.

To the Honorable the Board of Aldermen:

GENTLEMEN—In reply to your resolution of 31st ultimo, approved on the 3d instant, requesting information as to what steps, if any, are required to be taken to have the work of regulating, grading, etc., Madison avenue, north of Ninety-seventh street, completed, I have to state that a contract for regulating, grading, etc., Madison avenue, from Ninety-ninth to One Hundred and Fifth street, was awarded after public letting several years ago, but a complicated question as to the acceptance of the sureties offered by the contractor is still pending in the courts.

No work can be done under the awarded contract until the sureties are approved by the Comptroller, and the work cannot be readvertised and relet until the sureties are formally and legally rejected.

Very respectfully,

ALLAN CAMPBELL,  
Commissioner of Public Works.

Which was ordered on file.

The President pro tem. laid before the Board the following communication from the Department of Public Parks:

DEPARTMENT OF PUBLIC PARKS,  
36 UNION SQUARE (EAST),  
NEW YORK, August 10, 1877.

To the Honorable the Board of Aldermen:

GENTLEMEN—For several years prior to 1877, this Department hired offices in the Twenty-fourth Ward, situated at Fordham, for the use of its Superintendent in charge of the streets, roads, etc., in the Twenty-third and Twenty-fourth Wards.

Towards the close of 1876, the then Comptroller refused to pay the rent of the offices to the owners of the building, on the ground that the power to lease offices for the use of the Corporation was vested exclusively in the Common Council.

For this reason, early in January last, application was made to your Honorable Board for authority to enter into a lease for this year with Messrs. Valentine & Briggs, for the same offices, etc., which the Department had occupied during the previous years. No action was taken on this application until the 18th May last, when the resolutions, a copy of which I inclose, directing this Department to remove from these offices into others therein designated, was approved by his Honor the Mayor.

This Department, on June 2, and immediately after the receipt of the above-mentioned resolutions, submitted them to the Counsel to the Corporation for his advice. His opinion (a copy of which I inclose) was not received until this month.

It appears from it that when offices are required for the discharge of the duties of any Department, such Department can select its offices, but that the Common Council alone has the right to make the lease.

This Department has now occupied its offices at Fordham for seven months of this year, and the owners, Messrs. Valentine and Briggs, have not been paid their rent for this period. The agreement made for these offices by this Department was for the year ending December 31, 1877, and Messrs. Valentine and Briggs executed such an agreement, which I herewith inclose, but the Department has neither signed nor delivered it, pending your action in the premises.

I am requested by the Board of this Department to again respectfully ask you to authorize the agreement or lease of the offices with Messrs. Valentine and Briggs for the year ending December 31, 1877, in order to enable payment to be made for the use which the Department has already had of the offices, and to prevent litigation with regard to the rent for the four months of the year remaining.

Respectfully,

WM. R. MARTIN, Prest. Dept. Public Parks.

Which was referred to the Committee on Law Department.

The President pro tem. laid before the Board the following communication from the Department of Counsel to the Corporation:

LAW DEPARTMENT,  
OFFICE OF THE COUNSEL TO THE CORPORATION,  
NEW YORK, August 1, 1877.

To the Honorable the Board of Aldermen:

GENTLEMEN—In accordance with the directions contained in the resolution adopted by your Honorable Body, on the day of last, I have instituted proceedings against the Harlem and New York Navigation Company, and made a motion for an injunction restraining them from running the ferry to Astoria.

I have received a communication from the Counsel for the Corporation, a copy of which I inclose herewith.

I have thought best to delay for a little time the making of the motion for an injunction, deeming it proper that your Honorable Body should have the opportunity of acting upon the suggestion contained in this communication.

If the object desired is to obtain compensation for the use of the ferry franchise, it would seem that the Corporation is disposed not to dispute the right of the city to receive compensation, provided they have an opportunity of obtaining that right; but if the intention of your Board is to stop the running of the ferry, I will, of course, proceed with the motion.

Yours, very respectfully,

W. C. WHITNEY, Counsel to the Corporation.

SUPREME COURT.

The Mayor, Aldermen, and Commonalty of the City of New York, Plaintiff,

against

The Harlem and New York Navigation Company, Defendant.

Hon. WILLIAM C. WHITNEY, Counsel to the Corporation:

DEAR SIR—The "Harlem and New York Navigation Company" were organized in the year 1876, for the purpose of establishing a line of fast steamboats, with the view of improving real estate in the upper end of the island, and also of affording a cheaper and more speedy means of communication between Harlem and the lower or business portion of the city, the only means of communication between said points at that time being by way of the Fourth Avenue Railroad and by Third avenue cars to Yorkville, and from thence by stage to Harlem.

The line was started with the intention of running from Harlem to Peck slip, with intermediate landings on the New York side.

About eighteen months after the boats commenced running, many of the residents of Astoria applied to the company requesting them to make a landing with their boats at Astoria, on their trip to and from Peck slip, in order to accommodate the people residing at Astoria, and doing business in the City of New York, with a quicker and cheaper mode of travel between their dwellings and their places of business.

The only means of communication between Astoria and the lower part of the city, at that time, being by ferry to Eighty-sixth street, and from thence by horse cars.

In compliance with such application, the company consented to and did make landings with their boats at Astoria, and have continued such landings for the accommodation of the residents of Astoria; the company, however, as the annual results have shown, deriving very little if any pecuniary benefit therefrom, by reason of the dangerous passage through Hell Gate, in order to make landings on the eastern shore, and injury sustained by the boats during the winter season, when the river is filled with heavy, floating ice.

The residents of Astoria who patronize the boats are some of them engaged in business; while the greater number are mechanics who have secured at Astoria cheap residences, and whose present means of reaching the city and returning to their homes, independent of water communication, are by horse railroad from Astoria to Hunter's Point, running time thirty minutes, and fare five cents, and from thence by ferryboat to James slip, time twenty-five minutes, and fare six cents, making eleven cents fare in all; or by crossing from Astoria to Ninety-second street, time seven minutes, fare four cents; thence by the Second or Third avenue horse cars, time over one hour, fare six cents, making the fare in all ten cents.

As above stated, the greater portion of the parties traveling on these boats, between Astoria and New York, are mechanics, who are daily employed along the river shore, between Market and Eighteenth streets, in this city, earning their daily wages in this city.

The company carry them upon their boats at the very low rate of fare of six and a quarter cents, making their daily expense for traveling to and from their work by these boats but twelve and a half cents, and carry them to Eleventh street in less than twenty minutes, and to Peck slip in about thirty minutes; whereas, by either of the other routes, they have to consume over an hour at a daily rate of fare of not less than ten cents each way.

Should the company be restrained by an order of the Court from landing at Astoria, the result will work a great hardship to the residents of Astoria, not only in the matter of daily expenses, which at the present time is a matter of vital importance to the mechanics, but also will cause a great loss of time in traveling to and from their residences, as no other means of travel will then be left, except by the routes hereinbefore referred to.

I can scarcely think it possible that our city authorities, in the present depressed condition of business, will intentionally impose such a burden upon the residents of Astoria, many of whom unquestionably spend most of their earnings in the City of New York in providing the necessities of life for their families, for which the citizens of New York receive the benefit, particularly as no good can possibly result to them by adopting such a course.

I would therefore respectfully suggest that the city authorities establish a ferry between Astoria and some point in the lower part of the city, and dispose of such ferry franchise at public auction, as required by law, and permit the boats to continue their landings at Astoria, for the accommodation of the residents there, until such time as the city authorities are prepared to furnish ferry accommodations to that place.

The defendants in above action will then have an equal privilege with others of obtaining such franchise; should they, however, not purchase the franchise when sold, and a ferry be established and run by other parties, then the defendants will be perfectly willing to, and may be compelled to withdraw their boats from Astoria and confine their landings to the New York shore.

It seems to me that this, considering all the circumstances of the case, would be but fair and equitable, not only to the defendants but also to the residents of Astoria.

Please give this matter your early consideration and inform me of the result, so that, in case this proposition should not be considered favorably by you, that I may have an opportunity of answering your motion for an injunction and the complaint herein.

Yours truly,

HENRY P. MCGOWEN, Attorney for Defendants,  
76 Nassau street.

New York, July 17, 1877.

Which was referred to the Committee on Ferries.

MOTIONS AND RESOLUTIONS RESUMED.

By Alderman Pinckney—

Resolved, That the Counsel to the Corporation be and he is hereby requested to report to this Board his opinion as to the power of the Common Council to establish ferries from point to point on the shore of the Island of Manhattan, or to and from any dock or slip within the corporate limits of the City of New York.

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

Which was decided in the affirmative.

COMMUNICATIONS FROM THE DEPARTMENTS AND CORPORATION OFFICERS RESUMED.

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

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE, August 4, 1877.

To the Honorable the Board of Aldermen:

Weekly statement, showing the appropriations made under the authority contained in section 112, chapter 335, Laws of 1873, for carrying on the Common Council from January 1 to December 31, 1877, both days inclusive, and of the payments made up to and including the date hereof for and on account of each appropriation.

Title of Appropriations.	Am't of Appropriations.	Payments.
City Contingencies.....	\$5,000 00	\$241 65
Contingencies—Clerk of the Common Council.....	500 00	92 78
Salaries—Common Council.....	109,000 00	63,874 23

JOHN KELLY, Comptroller.

Which was ordered on file.

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

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE, August 11, 1877.

To the Honorable the Board of Aldermen:

Weekly statement, showing the appropriations made under the authority contained in section 112, chapter 335, Laws of 1873, for carrying on the Common Council from January 1 to December 31, 1877, both days inclusive, and of the payments made up to and including the date hereof for and on account of each appropriation.

Title of Appropriations.	Am't of Appropriations.	Payments.
City Contingencies.....	\$5,000 00	\$241 65
Contingencies—Clerk of the Common Council.....	500 00	92 78
Salaries—Common Council.....	109,000 00	63,874 23

JOHN KELLY, Comptroller.

Which was ordered on file.

MOTIONS AND RESOLUTIONS AGAIN RESUMED.

Alderman Sheils moved that the Board do now adjourn.

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

Which was decided in the affirmative.

And the President pro tem. announced that the Board stood adjourned until Tuesday, September 4, 1877, at 2 o'clock P. M.

FRANCIS J. TWOMEY, Clerk.

## COMMISSIONERS OF THE SINKING FUND.

Abstract of the Proceedings of the Commissioners of the Sinking Fund, at the meeting held August 15, 1877.

Present—Hon. Smith Ely, Jr., Mayor (Chairman); Hon. John K. Hackett, Recorder; Hon. John Kelly, Comptroller; and J. Nelson Tappan, Esq., Chamberlain.

The minutes of the last meeting were read and approved.

The Comptroller, to whom was referred the communication from the Commissioners of the Fire Department, in relation to sale and removal of bell tower, No. 440 West Thirty-third street; reported the following resolution, which, on motion, was adopted, viz.:

Resolved, That the Comptroller be authorized to sell at public auction, on appraisal, in accordance with the Charter of 1873, the building known as the bell tower, now standing on premises No. 440 West Thirty-third street, the same having been reported to be in a very dangerous condition; and that he take all necessary measures on behalf of the Commissioners of the Sinking Fund, to effect such sale.

The Comptroller, to whom was referred the application of Michael McMahon, for return of amount overpaid on account of street-vault, at 196 Clinton street; reported the following resolution, which, on motion, was adopted, viz.:

Resolved, That the sum of twenty-two dollars and three cents (\$22.03) be returned to Michael McMahon, being the excess paid by him for a vault, on June 12, 1877, in front of premises known as No. 196 Clinton street.

The Comptroller, to whom was referred the application of George J. Miller and C. Henrietta Miller, his wife, for a new release for commutation of water lot rent of lot northeast corner of West street and Charles alley, submitted the opinion of the Counsel to the Corporation on the said application, as follows, viz.:

LAW DEPARTMENT,  
OFFICE OF THE COUNSEL TO THE CORPORATION,  
NEW YORK, April 6, 1877.

Hon. JOHN KELLY, Comptroller:

SIR—From your letter to me of the 15th of March, ultimo, and the accompanying papers, the following facts appear:

The Mayor, Aldermen, and Commonalty of the City of New York, by a deed dated May 29, 1867, and recorded in Liber 1057, of Conveyances, page 253, released to George J. Miller, all rents and sums of money reserved to said city, from and out of four certain lots on West street, upon the payment of all arrears of rent, and the sum of \$3,594.67, in commutation of rents reserved to the city, in a grant of said property, to Abijah Hammond. That at the time of the execution of such release and the payment of said sum by said Miller, he supposed that the title to said four lots was vested in himself, but that it subsequently appeared that the title to said lots was vested, at that time, in his wife, C. Henrietta Miller. After the discovery of this fact, said Miller and his wife, Henrietta, by a petition dated July 14, 1876, requested the Comptroller to execute a new release to said Henrietta, for the reason, that the former release to her husband might possibly create a cloud upon the title.

It also appears from a letter of Richard H. Clark to the Comptroller, dated February 5, 1877, that since the said petition was presented to the late Comptroller, Mr. Miller has died, leaving all his property to his wife. You request to be informed whether a release of the property in question can be now given to Mrs. Miller without any action, authorizing the same by the Commissioners of the Sinking Fund.

If the statements contained in the papers transmitted with your letter are true, there is no good reason why a release of the premises in question should not now be given by the city to Mrs. Miller. The rents, reserved to the city in the original grant, have been commuted, and the city has no right to or claim upon the property. The execution of the release to Mr. Miller instead of his wife was a mistake, and should be corrected.

The power of the Comptroller, however, to cause such a release to be executed, would seem to depend upon the terms of the resolution, originally adopted by the Commissioners of the Sinking Fund, authorizing the execution of such release. If the resolution merely authorized the execution of a release to Mr. Miller, I do not see what authority the Finance Department would now have to execute a release to Mrs. Miller. I see no reason, however, why, if the facts are as they are represented to be in the papers before me, the Commissioners of the Sinking Fund should not now adopt a resolution authorizing the execution of a release to Mrs. Miller; and I recommend that this course be taken.

The letter of Mr. Clark, and the petition above referred to, are herewith returned.

I am, sir, yours respectfully,

WM. C. WHITNEY, Counsel to the Corporation.

Whereupon, the following preamble and resolution, submitted by the Comptroller, was, on motion, adopted, viz.:

Whereas, Upon the payment on May 29, 1867, by George J. Miller, of the sum of \$3,594.97—the proportionate amount of commutation money due upon premises on the east side of West street, extending from Charles alley to Perry street—a release was made to him of the rent to become due on such premises reserved under the grant to Abijah Hammond, dated May 1, 1821; and

Whereas, It has since been ascertained, that George J. Miller was not the owner of the lot on the northeast corner of Charles alley and West street, at the date of such payment and release, but that said lot was owned by Catharine H. Miller; therefore be it

Resolved, That the Comptroller be authorized to cause a release from the quit rent reserved thereon, by the grant to Abijah Hammond, to be made out and executed to Catharine H. Miller, of all that certain lot of land, situate on the northeast corner of Charles alley and West street, being 23 feet 6 inches on West street, 19 feet in the rear by 99 feet 3 inches on Charles alley.

The Comptroller, to whom was referred the communication from the Commissioners of Docks, in relation to change in the width and location of Piers, new numbers 38 and 39, North river, reported the following resolution, which, on motion, was adopted, viz.:

Resolved, That the Commissioners of the Sinking Fund do hereby consent to and approve of the change of width and location of Piers, new numbers 38 and 39, North river, as shown on the annexed diagram, fixing the width of each of said Piers at 75 feet instead of 80 feet, and establishing at the line for the new bulkhead wall, the northerly line of said Pier 39, about 720 feet south of the southerly line of Pier, new number 42, and the northerly line of said Pier 38, about 190 feet south of the southerly line of said Pier 39.

The Comptroller submitted the following resolution, which, on motion, was adopted, viz.:

Resolved, That the Comptroller, in accordance with subdivision 11 of section 6 of the act, chapter 574 of the Laws of 1871, be and he hereby is directed to prepare and issue, from time to time as he may deem necessary to meet the requirements of the Dock Department, fifty thousand dollars (\$50,000) Dock Bonds of the City of New York, for the purpose of raising moneys necessary to carry out the provisions of said act relating to the Department of Docks, its powers and duties, on account of the requisition by the Commissioners of Docks, dated July 12, 1877, for two hundred and fifty thousand dollars (\$250,000).

The Comptroller submitted bill of William Kennelly, for services as appraiser, on the part of the city, to fix the value of buildings on premises leased to Mary Kent, northeasterly side of Grand street, next to the corner of Mangin street, on expiration of lease, amounting to \$50; when, on motion, the following resolution was adopted, viz.:

Resolved, That the Comptroller be and he hereby is authorized to pay the bill of William Kennelly, for services as appraiser on behalf of the city, in fixing the value of the buildings on premises 594 Grand street, on the expiration of lease of said premises, amounting to fifty dollars (\$50), from the appropriation for "Commissioners of Sinking Fund—Expenses of"—1877.

The following resolution, submitted by the Comptroller, was, on motion, adopted, viz.:

Resolved, That all of that portion of North Brother Island, which belongs to the Mayor, Aldermen, and Commonalty of the City of New York, be set apart, and appropriated to the use of the Health Department, from May 1, 1878; and that the Board of Health be authorized to take possession thereof, for such purposes as may be deemed proper by said Board.

The Mayor submitted a communication from Charles Kinkel, Chairman of a German American School Society, transmitting a petition for the use of premises on the northeast corner of Third avenue and Eighty-fifth street, in which to continue their school, now held in East Eighty-fifth street, between Lexington and Third avenues; which, on motion, was referred to the Comptroller.

W. W. Shippen, Esq., Chairman of the Committee of Ferry Proprietors, appeared on behalf of said Committee, and was heard in relation to the sale of ferry franchises, advertised to be held on the 16th inst., and stated the objections of himself and those he represented, to the terms and conditions of said sale; and to the provisions of the lease required to be executed by the successful bidders.

The Comptroller and Recorder briefly replied, calling attention to the provisions of the Charter of 1873, section 102; and the laws and ordinances in relation to the Sinking Fund.

After further remarks by other gentlemen, the following resolution, submitted by the Comptroller, was, on motion, adopted, viz.:

Resolved, That the Counsel to the Corporation be and is hereby requested to furnish his opinion to the Sinking Fund Commission, as to whether he intends the provision, contained in the proposed form of lease, as follows, viz.:

"And the parties of the first part assume, under this instrument, no responsibility to provide or furnish the said landing places or slips, docks, bridges, floats or fixtures, or any or either of them, or to permit the use thereof of any property belonging to the Mayor, Aldermen, and Commonalty of the City of New York, the said part of the second part taking all the responsibility with reference thereto," to apply to all the ferry franchises.

W. H. DIKEMAN, Clerk.

## METEOROLOGICAL OBSERVATORY

OF THE

## DEPARTMENT OF PUBLIC PARKS,

CENTRAL PARK, NEW YORK,

Latitude 40° 45' 58" N. Longitude 73° 57' 58" W. Height of Instruments above the Ground, 53 feet; above the Sea, 97 feet.

ABSTRACT OF REGISTERS FROM SELF-RECORDING INSTRUMENTS,  
For the Week Ending August 4, 1877.

## Barometer.

DATE.	7 A. M.	2 P. M.	9 P. M.	MEAN FOR THE DAY.	MAXIMUM.	MINIMUM.
JULY AND AUGUST.	REDUCED TO FREEZING.	REDUCED TO FREEZING.	REDUCED TO FREEZING.	REDUCED TO FREEZING.	REDUCED TO FREEZING.	REDUCED TO FREEZING.
Sunday, 29.....	29.759	29.731	29.711	29.734	29.799	29.704
Monday, 30.....	29.697	29.716	29.770	29.728	29.790	29.690
Tuesday, 31.....	29.862	29.910	29.972	29.915	29.992	29.780
Wednesday, 1.....	30.022	30.050	30.054	30.042	30.062	29.980
Thursday, 2.....	30.024	29.968	29.900	29.964	30.048	29.850
Friday, 3.....	29.800	29.722	29.700	29.741	29.850	29.686
Saturday, 4.....	29.758	29.760	29.809	29.775	29.818	29.704

Mean for the week..... 29.842 inches.  
Maximum " at 11 A. M., August 1..... 30.062 "  
Minimum " at 6 P. M., " 3..... 29.686 "  
Range " ..... .376 "

## Thermometers.

DATE.	7 A. M.	2 P. M.	9 P. M.	MEAN.	MAXIMUM.	MINIMUM.	MAXIMUM.
JULY AND AUGUST.	Dry Bulb.	Wet Bulb.	Dry Bulb.	Wet Bulb.	Dry Bulb.	Wet Bulb.	In Sun.
Sunday, 29	72	68	79	71	75	69	81
Monday, 30	72	68	78	71	74	69	82
Tuesday, 31	75	68	81	70	74	68	81
Wednesday, 1	68	64	73	66	70	64	74
Thursday, 2	69	61	75	62	71	62	75
Friday, 3	68	63	80	70	75	67	86
Saturday, 4	68	59	77	63	70	60	79

Dry Bulb. Mean for the week..... 73.6 degrees.  
Wet Bulb. Mean for the week..... 65.9 degrees.  
Maximum for the week, at 5 P. M., 3d..... 86. " at 5 P. M., 3d..... 73. "  
Minimum " at 6 A. M., 4th..... 67. " at 6 A. M., 4th..... 59. "  
Range " ..... 19. " ..... 14. "

## Wind.

DATE.  JULY AND AUGUST.	DIRECTION.			VELOCITY IN MILES.				FORCE IN POUNDS PER SQUARE FOOT.				
	7 A. M.	2 P. M.	9 P. M.	7 A. M.	2 P. M.	9 P. M.	Distance for the Day.	7 A. M.	2 P. M.	9 P. M.	Max.	Time..
Sunday, 29....	SE	ESE	SE	22	22	50	94	0	0	0	¾	3.10 P. M.
Monday, 30....	NNE	E	NW	22	31	23	76	0	½	0	¾	7.40 P. M.
Tuesday, 31....	NE	ENE	ENE	37	57	68	162	½	1½	3	3½	12 P. M.
Wednesday, 1....	N	NE	ENE	107	98	73	278	½	3¾	1	5½	11.40 A. M.
Thursday, 2....	ENE	NE	NE	122	96	74	292	2½	3½	½	7	4.30 A. M.
Friday, 3....	NW	W	S	57	22	30	109	0	0	¾	1½	10.40 P. M.
Saturday, 4....	NW	WNW	NW	56	58	40	154	0	½	0	2¾	3 P. M.

Distance traveled during the week..... 1,165 miles.  
Maximum force " ..... 7 pounds.

DATE. JULY AND AUGUST.	Hygrometer.						Clouds.			Rain and Snow.					
	FORCE OF VAPOR.			RELA- TIVE HUMI- DITY.			CLEAR, °. OVERCAST, 10.			DEPTH OF RAIN AND SNOW IN INCHES.					
	7 A. M.	2 P. M.	9 P. M.	7 A. M.	2 P. M.	9 P. M.	7 A. M.	2 P. M.	9 P. M.	Time of Beginning.	Time of Ending.	Duration. H. M.	Amount of Water.	Depth of Snow	
Sunday,	29.	.631	.651	.628	80	66	72	Fog. 10	8 Cu.	7 Cir. Cu.	....	....	... ..	..	
Monday,	30.	.631	.664	.604	80	69	72	10	1 Cu.	7 Cu.	1 A. M.	7.30 A. M.	6 30	.79	..
Tuesday,	31.	.591	.585	.568	68	55	68	6 Cu.	2 Cu.	o	....	....	... ..	..	
Wednesday,	1.	.543	.545	.524	79	67	67	9 Cu.	9 Cu.	2 Cir.	....	....	... ..	..	
Thursday,	2	.430	.382	.482	61	44	66	2 Cir.	8 Cir. Cu.	7 Cir. Cu.	....	....	... ..	..	
Friday,	3.	.509	.598	.625	74	58	65	9 Cu.	3 Cu.	5 Cir. Cu.	....	....	... ..	..	
Saturday,	4.	.380	.389	.385	56	42	52	2 Cir.	4 Cu.	o	....	....	... ..	..	

Total amount of water for the week..... .79 inch.

DANIEL DRAPER, Director.



## FINANCE DEPARTMENT.

WILLIAM KENNELLY, AUCTIONEER.

CORPORATION SALE OF THE BELL-TOWER  
AT 440 WEST THIRTY-THIRD STREET.

THE COMPTROLLER OF THE CITY OF NEW York will sell at public auction, on Thursday, August 23, 1877, at 12 o'clock, noon, at the New County Court-house, the building known as the Bell-tower, now standing on premises No. 440 West Thirty-third street.

## TERMS OF SALE.

Cash, to be paid to the Collector of City Revenue at the time and place of sale. The successful bidder to remove said building within thirty days from the date of sale, and to leave the ground upon which it stands free from all material of the building and smoothly and evenly graded.

JOHN KELLY,

Comptroller.

CITY OF NEW YORK,  
DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
August 16, 1877.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
No. 16, NEW COURT-HOUSE,  
NEW YORK, August 15, 1877.

## NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED AUGUST 6, 1877. ENTERED AUGUST 10, 1877.

One Hundred and Twenty-fifth street, opening, from Ninth avenue to the Boulevard.

All payments made on the above assessment on or before October 15, 1877, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of entry.

EDWARD GILON,

Collector of Assessments.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
No. 16 NEW COURT-HOUSE,  
NEW YORK, August 4, 1877.

## NOTICE TO PROPERTY-HOLDERS.

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

FULLY CONFIRMED AUGUST 2, 1877.

West street, east side, and 10th avenue, curb, gutter, and flagging, between Gansevoort and Little West 12th street.

74th street, paving, crosswalks, etc., intersection of 4th avenue.

97th street, regulating, grading, etc., from 5th avenue to Harlem river.

79th street, regulating, grading, etc., from Public Drive to Hudson river.

101st street, regulating, grading, etc., from Public Drive to Riverside Park.

150th street, grading, from 3d to St. Ann's avenue.

Water street, sewer, between Jackson and Corlears streets.

## RECEIVING-BASINS.

Madison avenue, northeast corner 65th street; 4th avenue, southwest corner 65th street; 62d street, south side west of 4th avenue; 63d street, south side, east of 4th avenue; 64th street, south side, east and west of 4th avenue; 66th and 69th streets, southeast and southwest corners 4th avenue.

## RECEIVING-BASINS.

70th street, southeast corner 4th avenue; 71st street, southwest corner 4th avenue; 72d street, northwest corner 4th avenue; 73d street, northeast corner 4th avenue; 74th, 75th, 76th, and 77th streets, north and south sides; and north side 78th street, west of 4th avenue.

All payments made on the above assessments on or before October 3, 1877, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

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

EDWARD GILON,

Collector of Assessments.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
ROTUNDA, NEW COURT-HOUSE,  
NEW YORK, June 30, 1877.

## NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED JUNE 16, 1877.

Sixty-fifth street opening, from the easterly line of Third (3d) avenue to the East river.

All payments made on the above assessment on or before August 29, 1877, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

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

EDWARD GILON,

Collector of Assessments.

## WILLIAM KENNELLY, AUCTIONEER.

CORPORATION SALE OF THE FRANCHISE OF THE FERRY FROM BULKHEAD AT THE FOOT OF WHITEHALL STREET, NEW YORK, TO STATEN ISLAND.

THE FRANCHISE OF THE FERRY FROM THE bulkhead at the foot of Whitehall street, New York, to Staten Island, will be sold at public auction on Wednesday, July 11, 1877, at the Comptroller's Office, at 12 o'clock noon, for the period of one year, from July 15, 1877. The form of the lease required to be executed by the highest bidder can be seen at the Comptroller's Office, on and after July 9, 1877.

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

The minimum rate for which the ferry franchise or license to operate ferries shall be used or enjoyed has been appraised and set by the Commissioners of the Sinking Fund at five per cent. of the gross receipts for ferriage that shall hereafter accrue at each separate ferry, collected at the landing place in the City of New York, such percentage to be paid quarterly to the Corporation, and a covenant will be contained in the Corporation, and the lessee to make and deliver to the Comptroller of the City of New York, quarterly, a statement in writing, verified by oath or affirmation of the lessee, or of such proper officer of the lessee as may be designated by the Comptroller, of the actual total gross receipts for ferriage received by such lessee during the preceding three months, and also, that the lessee shall keep regular books of account, showing the daily gross receipts of the ferry leased, and allow said Comptroller, or any person designated by him, to examine such books.

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

receipts collected at the landing place in the City of New York.

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

No bid less than five per cent. on such gross receipts will be entertained.

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

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

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

By order of the Commissioners of the Sinking Fund.

JOHN KELLY,

Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, July 3, 1877.

The above sale is adjourned to Thursday, July 19, 1877, at 12 o'clock, noon, at the Comptroller's office.

JOHN KELLY,

Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, July 11, 1877.

The above sale is adjourned to Thursday, July 26, 1877, at 12 o'clock, noon, at the Comptroller's office.

JOHN KELLY,

Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, July 19, 1877.

The above sale is adjourned to Thursday, August 2, 1877, at 12 o'clock, noon, at the same place.

JOHN KELLY,

Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, July 26, 1877.

The above sale is adjourned to Thursday, August 16, 1877, at 12 o'clock, noon, at the same place.

JOHN KELLY,

Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, Aug. 2, 1877.

The above sale is adjourned to Thursday, August 23, 1877, at 12 o'clock, noon, at the same place.

JOHN KELLY,

Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, August 16, 1877.

## WILLIAM KENNELLY, AUCTIONEER.

## SALE OF FERRY FRANCHISES.

THE FRANCHISES TO RUN THE FOLLOWING ferries and a lease of the wharf property belonging to the city, if any, set apart for ferry purposes at each of said ferries, will be sold at public auction to the highest bidder, at the office of the Comptroller of the City of New York, on the 26th day of July, 1877, at 12 o'clock, noon, for the period of five years from August 1, 1877, except as otherwise stated, namely:

Ferry from foot of Whitehall street to Staten Island.

Ferry from Cortlandt street, North river, to Jersey City.

Ferry from Barclay street, North river, to Hoboken, New Jersey.

Ferry from Chambers street, North river, to Paviaua avenue, New Jersey.

Ferry from Desbrosses street, North river, to Harsimus, Jersey City.

Ferry from Houston street, East river, to Brooklyn, E. D.

Ferry from Tenth street, East river, to Greenpoint, Long Island.

Ferry from Twenty-third street, East river, to Greenpoint, Long Island.

Ferry from Thirty-fourth street, East river, to Hunter's Point, Long Island, for five years from November 1, 1877.

Ferry from Ninety-second street, East river, to Astoria, Queens County, Long Island, for five years from November 1, 1877.

The minimum rate for which said ferry franchises or the right to operate said ferries shall be used, or enjoyed has been appraised and fixed by the Commissioners of the Sinking Fund at five per cent. of the gross receipts for ferriage that shall hereafter accrue at each separate ferry, collected at the landing place in the City of New York, and in no case to be less than one-half the gross receipts of the ferry wherever collected, such percentage to be paid quarterly to the Comptroller, and each lease will contain a covenant requiring the lessee to make and deliver to the Comptroller, quarterly, a statement in writing, verified by the oath or affirmation of the lessee, or of such proper officer of the lessee as may be designated by the Comptroller, of the actual total gross receipts for ferriage received by such lessee during the preceding three months, and also, that the lessee will keep regular books of account, showing the daily gross receipts of the ferry leased, and allow said Comptroller, or any person designated by him, to examine such books at all reasonable times.

Every person bidding for a ferry franchise must state what percentage of the gross receipts collected at the landing-place in the City of New York he will pay for the same. All moneys received for the conveyance of passengers, animals, vehicles, or freight from the City of New York, over any ferry route, to any of the opposite shores, to be collected at the landing-place in New York, or if collected elsewhere, to be included in the receipts upon which such percentage is to be calculated and paid.

The minimum price for which the lease of said wharf property will be sold has been fixed by the Board of the Department of Docks at the following sums, namely:

Wharf property connected with the ferry from Cortlandt street, North river, to Jersey City, has been leased by the Department of Docks to the associates of the Jersey Company for ten years from May 1, 1876, at \$7,510 per annum.

Wharf property connected with the ferry from Chambers street, North river, to Paviaua avenue, New Jersey, is now held under an agreement by the Erie Railway Company, that such company shall have a lease of the same with other premises for the term of ten years from July 21, 1875.

Ferry from Desbrosses street, North river, to Harsimus, Jersey City.

For the bulkhead and short pier at foot of Desbrosses street, North river, being about 65 feet in width along the westerly side of West street, or as much thereof as may be owned by the Corporation, at \$500 per annum.

Ferry from Tenth street, East river, to Greenpoint, Long Island.

For bulkhead at foot of Tenth street, East river, or so much thereof as may now be occupied for ferry purposes, at \$250 per annum.

Ferry from Twenty-third street, East river, to Greenpoint, Long Island.

For bulkhead at north side of and contiguous to foot of Twenty-third street, East river, as now occupied for ferry purposes, at \$2,500 per annum.

Ferry from Thirty-fourth street, East river, to Hunter's Point, Long Island.

For bulkhead at foot of Thirty-fourth street, East river, and for premises at the terminus of the Long Island Railroad at Hunter's Point, now occupied for ferry purposes, at \$2,000 per annum.

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

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

All the above-named premises to be taken in the condition in which they may be on the 1st day of August, 1877, and all repairs and rebuilding thereof, and dredging thereat, during the term leased, to be done at the expense and cost of the lessee.

Each purchaser of a lease will be required, at the time of the sale, and in addition to the payment of the rent for such property first accruing under the lease, when executed, or forfeited if the lessee neglects or refuses to execute the lease and bond after being duly notified that the lease is prepared and ready for signature, or, in case the bid be finally rejected, will be returned to the bidder.

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

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

No bid for a ferry franchise of less than five per cent. of the gross receipts to be collected at the landing-place in New York, as before set forth, and no bid for the lease of wharf property less than the minimum price fixed by the Board of the Department of Docks will be received.

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

The form of the lease required to be executed by the highest bidder can be seen at the office of the Comptroller on and after July 23, 1877.

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

The leases will contain a covenant requiring the lessees to pay quarterly to the Comptroller the percentage of the gross receipts paid for the franchise of each ferry.

Dated New York, July 17, 1877.

JOHN KELLY,

Comptroller.

JACOB A. WESTERVELT,

HENRY F. DIMOCK,

JACOB VANDERPOEL,

Board of Department of Docks.

The above sale is adjourned to Thursday, August 2, 1877, at 12 o'clock, noon, at the same place.

JOHN KELLY,

Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, July 26, 1877.

The above sale is adjourned to Thursday, August 16, 1877, at 12 o'clock, noon, at the same place.

JOHN KELLY,

Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, August 2, 1877.

The above sale is adjourned to Thursday, August 23, 1877, at 12 o'clock, noon, at the same place.

JOHN KELLY,

Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, August 16, 1877.

## REAL ESTATE RECORDS.

THE ATTENTION OF LAWYERS, REAL Estate Owners, Monetary Institutions engaged in making loans upon real estate, and all who are interested in providing themselves with facilities for reducing the cost of examinations and searches, is invited to these Official Indices of Records, containing all recorded transfers of real estate in the City of New York from 1653 to 1857, prepared under the direction of the Commissioners of Records.

Grants, grantees, suits in equity, insolvents' and Sheriff's sales, in 61 volumes, full bound, price, \$100 00

The same, in 25 volumes, half bound, " " 50 00

Complete sets, folded, ready for binding, " " 15 25

Records of Judgments, 25 volumes, bound, " " 10 00

Orders should be addressed to "Mr. Stephen Angell, Comptroller's Office, New County Court-house."

JOHN KELLY,

Comptroller.

COMPTROLLER'S OFFICE,  
NEW YORK, February 6, 1877.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
ROTUNDA, NEW COURT-HOUSE,  
NEW YORK, July 18, 1877.

## NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED JULY 12, 1877.

115th street, regulating and grading, between 6th and 7th avenues.

144th street, regulating, grading, etc., between 10th avenue and Public Drive.

144th street, grading, between Willis and St. Ann's avenue.

63d street, flagging, between 1st and 2d avenues.

Bloomfield street, paving, between West street and 13th avenue.

92d street, paving, between 3d and 5th avenues.

104th " " " 3d " 4th "

104th " " " 2d " 3d "

104th " " " 3d " 4th "

123d street, paving, and regulating, grading, etc., from New avenue, west, to 8th avenue.

All payments made on the above assessments on or before September 17, 1877, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

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

EDWARD GILON,

Collector of Assessments.

## CORPORATION NOTICES

PUBLIC NOTICE IS HEREBY GIVEN TO THE owner or owners, occupant or occupants, of all houses and lots, improved or unimproved lands, affected thereby that the following assessments have been completed and are lodged in the office of the Board of Assessors for examination by all persons interested, viz.:

No. 1. Sewers in Ninety-sixth street, between Eighth and Tenth avenues, and in Ninth avenue, between Ninety-second and Ninety-sixth streets, with branches.

No. 2. Sewer in One Hundred and Fifty-second street, between Boulevard and Hudson river.

No. 3. Sewer in Fourth avenue, east side, between Nineteenth and Twentieth streets.

No. 4. Belgian pavement in Ninety-second street, from Eighth avenue to the Boulevard.

No. 5. Paving with granite-blocks in Seventy-fifth street, from First to Third avenue.

No. 6. Paving with Telford-macadamized pavement, setting curb, and flagging One Hundred and Sixteenth street, from Sixth to Seventh avenue.

No. 7. Belgian pavement in One Hundred and Thirtieth street, from Third to Fourth avenue.

No. 8. Paving with granite-block pavement Little Twelfth street, from Tenth to Thirteenth avenue.

No. 9. Setting curb, gutter, and flagging One Hundred and Ninth street, from Third to Fifth avenue.

No. 10. Setting curb, gutter, and flagging sidewalks four feet wide through the centre thereof, on both sides of Eighty-second street, from Fourth to Madison avenue, and laying crosswalks across the Fourth avenue at the intersection of Eighty-second street, and across Eighty-second street at the westerly intersection of Fourth avenue.

No. 11. Flagging sidewalks on south side of One Hundred and Seventeenth street, from Lexington to Fourth avenue.

No. 12. Flagging east side Fifth avenue, between Fifty-eighth and Sixty-fourth streets.

No. 13. Flagging, full width, east side West street, from Horatio to Gansevoort street.

No. 14. Regulating, grading, setting curb and gutter stones, and flagging Ninety-first street, from Fourth to Fifth avenue.

No. 15. Regulating, grading, setting curb and gutter, and flagging One Hundred and First street, from Ninth avenue to the Boulevard.

No. 16. Regulating, grading, setting curb and gutter, and flagging One Hundred and Thirty-first street, from Sixth to Eighth avenue.

No. 17. Regulating, grading, setting curb and gutter, and flagging One Hundred and Thirty-third street, from Tenth avenue to Hudson river.

No. 18. Laying crosswalks on Madison avenue, at each intersection of Eighty-ninth, Ninetieth, Ninety-first, Ninety-third, and Ninety-fourth streets (excepting Eighty-ninth and Ninetieth streets).

The limits embraced by such assessment include all the several houses and lots of ground, vacant lots, pieces and parcels of land, situated on:

No. 1. Both sides of Ninth avenue, between Ninety-second and Ninety-sixth streets, and both sides of Ninety-sixth street (commencing 300 feet east of Ninth avenue), to the Tenth avenue, and east side of Tenth avenue, between Ninety-fifth and Ninety-seventh streets, and south side of Ninety-seventh street, between Ninth and Tenth avenues, and north side of Ninety-second street, between Eighth and Ninth avenues.

No. 2. Both sides of One Hundred and Fifty-second street, between the Boulevard and Hudson river.

No. 3. East side of Fourth avenue, between Nineteenth and Twentieth streets.

No. 4. Both sides of Ninety-second street, from Eighth avenue to the Boulevard, and to the extent of half the block at the intersecting avenue.

No. 5. Both sides of Seventy-fifth street, from First to Third avenue, and to the extent of half the block at the intersecting avenues.

No. 6. Both sides of One Hundred and Sixteenth street, between Sixth and Seventh avenues, and to the extent of half the block at the intersection of said avenue.

No. 7. Both sides of One Hundred and Thirtieth street, from Third to Fourth avenue, and to the extent of half the block at the intersecting avenues.

No. 8. Both sides of Little Twelfth street, between Tenth and Thirteenth avenues, and to the extent of half the block at the intersection of said avenues.