

# THE CITY RECORD.

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### LEGISLATIVE DEPARTMENT.

#### BOARD OF ALDERMEN.

##### STATED SESSION.

THURSDAY, February 3, 1876,  
2 o'clock P. M.

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

##### PRESENT:

Hon. SAMUEL A. LEWIS, President;

##### ALDERMEN

O. P. C. Billings,  
William L. Cole,  
Joseph Cudlipp,  
Magnus Gross,  
John W. Guntzer,  
Jacob Hess,

Patrick Lysaght,  
William H. McCarthy,  
John J. Morris,  
Joseph C. Pinckney,  
Henry D. Purroy,  
Bryan Reilly,

John Reilly,  
William Sauer,  
Peter Seery,  
Thomas Sheils,  
Michael Tuomey,  
William Wade,

ISAAC H. BAILEY, President of the Department of Charities and Correction.

The minutes of the last meeting were read and approved.

##### PETITIONS.

By the President—

Bills of the Sheriff for support and maintenance of prisoners in County Jail.  
Which was referred to the Committee on County Affairs.

By the same—

Communication from Colonel Edward Gilon, reporting disbandment of the Fifty-fifth Regiment, and desiring to turn over any property belonging to the county.  
Which was referred to the Committee on County Affairs.

By Alderman Purroy—

Petition of merchants and others, for an amendment to the ordinance relating to awnings.  
Which was referred to the Committee on Law Department.

##### INVITATION.

By the President—

Invitation to attend annual masked ball of the Independent Butcher Guard.  
Which was accepted.

##### RESOLUTIONS.

By Alderman Morris—

Resolved, That the Committee on Law Department be and hereby is directed to prepare and present an ordinance to compel all owners of licensed coaches known as "special," also all owners of coaches, landaus, clarences, carriages, broughams, coupes, and cabs, either private or public, to have two lamps lighted on each and every one of the above description of vehicles every night, between dark in the evening and sunrise in the morning, while traversing or standing in any of the streets, avenues or public places in this city, under a penalty of ten dollars for every violation of said ordinance.

The President put the question whether the Board would agree with said resolution.  
Which was decided in the affirmative.

By Alderman Hess—

Whereas, A large amount of taxes on real and personal property in the City of New York remains unpaid; and

Whereas, In these hard and oppressive times, producing so much misery in daily life and stagnation in business circles, it is impossible for many persons in arrears for taxes to pay the same under the present oppressive laws; and

Whereas, Under the present law the penalty for the non-payment of taxes is at the rate of twelve per cent. interest, which is almost ruinous to many of our best and most respectable citizens and taxpayers who are in arrears; and

Whereas, It would be a great benefit and advantage to the City of New York to have said taxes paid within a short time; and

Whereas, It is the duty of the Legislature to relieve the overburdened taxpayers in the present emergency, as far as reasonably can be done; therefore

Resolved, That the Legislature be respectfully requested to enact a law providing that all back taxes may be discharged, and the liens on real estate for said back taxes be canceled on the payment of the same at seven per cent. interest, within one year after the passage of said law; also providing for a discount or rebate of five per cent. if paid within six months after the passage of said act.

The President put the question whether the Board would agree with said resolution.  
Which was decided in the affirmative.

Alderman Hess then moved that the Clerk of the Board be instructed to transmit a certified copy of the above preamble and resolution to each member of the State Legislature.

The President put the question whether the Board would agree with said resolution.  
Which was decided in the affirmative.

By Alderman Pinckney—

Resolved, That the Commissioner of Public Works be and is hereby requested to report to this Board a statement of the property of the city available for use now at his disposal by reason of the disbandment of several of the regiments of the National Guard; also what armories, if any (the property of the city or for which claims for rent are now made by lessors), are now vacant by reason of the said disbandment, with a statement showing the unexpired term of the said leased premises.

The President put the question whether the Board would agree with said resolution.  
Which was decided in the affirmative.

By Alderman McCarthy—

Whereas, It is universally conceded that, next to the improvements of navigation at Hell Gate, in the East river, the most important work in the interest not only of this city but of the entire country, is the opening of the Harlem river and Spuyten Duyvil creek to the commerce of the country, it may be said of the world; and as General Newton, the government engineer now in charge of the former work, has recently presented an elaborate and exhaustive report on the latter, in which he estimates the cost of the work to be about \$1,000,000, and strongly recommended the Congress of the United States to appropriate that amount, and authorize this great facility to be added to the great natural advantages vouchsafed to this city in the formation of this island, it is the imperative duty of the corporate authorities to second the effort of General Newton, in behalf of this great enterprise which is, when completed, certain to add materially to the commercial facilities of the port, both domestic and foreign; and

Whereas, The general government is indebted to this city in the sum of one million of dollars, with interest thereon from May, 1861, advanced by the Corporation, and expended through the agency of the "Union Defense Committee" of our citizens in organizing, arming, equipping, and transmitting one or more regiments of its citizen soldiers, who volunteered to assist in saving the then

imperiled capital of the nation. No part of this money has ever been refunded, and although other cities and States have been reimbursed for moneys similarly expended, New York City has never yet received that measure of justice at the hands of the general government. This money could be advantageously used in the prosecution of the works in question, and the city should relinquish all claim for its payment, if applied to the purposes indicated; be it therefore

Resolved, That the representatives in Congress from this city be and they are respectfully requested to take such measures as they may consider best calculated to prevail upon the general government to undertake and complete the work of improving the navigation of Harlem river and Spuyten Duyvil creek, so as to admit of the passage of vessels of heavy tonnage; and that the representatives in Congress from all the other parts of this State be and they are hereby respectfully and earnestly requested to co-operate in the effort to secure to the commerce of the country the great and much needed facility of communication between the North and East rivers and Long Island Sound; it being understood that this city will, in the event of the success of the measure, relinquish all claims against the government for the moneys advanced at the outbreak of the late war, and now amounting to nearly \$2,000,000; and be it further

Resolved, That a certified copy of the foregoing preamble and resolution be addressed by the Clerk of the Common Council to each of the representatives in Congress from the State of New York.

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

Which was decided in the affirmative.

By the President—

Resolved, That the Commissioner of Public Works be and he is hereby requested to have the carriageway of West Broadway, from Chambers street to Canal street, repaired and put in good order forthwith.

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

Which was decided in the affirmative.

By Alderman B. Reilly—

Resolved, That the Counsel to the Corporation be and he is hereby requested to report to this Board, at his earliest convenience, what power, if any, is vested in the Common Council to control the manufacture and supply of illuminating gas furnished by the several gas companies, both for public and private uses, and if it is within the province of this Common Council to compel said companies to supply such gas in such quality and quantity, in such manner, and at such a price as may be determined upon by the city authorities.

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

Which was decided in the affirmative.

By Alderman Morris—

Resolved, That the Committee on County Affairs be and they are hereby authorized and directed to examine into the subject of re-leasing the premises on the northwest corner of Houston and Mulberry streets, occupied as offices by the Boards of Coroners and Excise.

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

Which was decided in the affirmative.

By Alderman Guntzer—

Resolved, That the Commissioner of Public Works be and he is hereby requested to cause the crosswalk across Second street, opposite the Church of St. Nicholas, to be repaired and put in good order.

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

Which was decided in the affirmative.

By Alderman Purroy—

Resolved, That Charles A. Mapes be and he is hereby appointed a City Surveyor.

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

Which was decided in the affirmative by the following vote:

Affirmative—The President, Aldermen Billings, Cole, Cudlipp, Gross, Guntzer, Hess, Lysaght, McCarthy, Morris, Pinckney, Purroy, J. Reilly, B. Reilly, Sauer, Seery, Sheils, Tuomey, and Wade—19.

By Alderman Billings—

Resolved, That Jacob A. Geissenhainer be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of William H. Geissenhainer, who has failed to qualify.

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

Which was decided in the affirmative by the following vote:

Affirmative—The President, Aldermen Billings, Cole, Cudlipp, Gross, Guntzer, Hess, Lysaght, Morris, Pinckney, Purroy, J. Reilly, B. Reilly, Sauer, Seery, Sheils, Tuomey, and Wade—18.

By Alderman B. Reilly—

Resolved, That Marx Platzek be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of \_\_\_\_\_ whose term of office has expired.

Which was referred to the Committee on Salaries and Offices.

By the same—

Resolved, That Michael McLaughlin be and is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of \_\_\_\_\_, whose term of office has expired.

Which was referred to the Committee on Salaries and Offices.

By Alderman J. Reilly—

Resolved, That the Commissioner of Public Works be and he is hereby requested to repair the carriageway of First avenue, from Houston street to Thirty-sixth street, forthwith.

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

Which was decided in the affirmative.

By Alderman Billings—

Resolved, That Henry P. Butler be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of \_\_\_\_\_, whose term of office has expired.

Which was referred to the Committee on Salaries and Offices.

By Alderman Morris—

Resolved, That John M. McCarty 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 Salaries and Offices.

By Alderman McCarthy—

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

Which was referred to the Committee on Street Pavements.

By Alderman Gross—

Resolved, That a ferry be and is hereby established from the foot of Liberty street, New York, to Communipaw, Jersey City, New Jersey.

Which was referred to the Committee on Ferries.

By the same—

Resolved, That One Hundred and Thirteenth street, from Morningside drive to the Riverside drive, be regulated, graded, curb and gutter stones set, and sidewalks flagged four feet wide through the centre thereof, 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.

(G. O. 38.)

By Alderman Cudlipp—

Resolved, That the Croton water-pipes in Eighty-third and Eighty-fourth streets, between the Eighth avenue and the Boulevard, by which the tenements on said streets are supplied with water, be connected with the high service pipe in the Boulevard, under the direction of the Commissioner of Public Works.

Which was laid over.

(G. O. 39.)

By the President—

Resolved, That the sidewalks on both sides of Gansevoort street, from Fourth to West street, be flagged full width, where not already done, and the curb and gutter stones be set and reset to the



established grade, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was laid over.

(G. O. 40.)

By the same—

Resolved, That the sidewalks of both sides of Tenth avenue, from Twelfth to Thirteenth street, be flagged full width, where not already done, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was laid over.

(G. O. 41.)

By the same—

Resolved, That both sides of Little West Twelfth street, from Gansevoort street to the Tenth avenue, be flagged, the curb and gutter stones be set and reset to the established grade, where not already done, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was laid over.

By Alderman Seery—

AN ORDINANCE to amend Charter XL. of the Revised Ordinances of 1866 relating to Hackney Coaches and Cabs.

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

#### ARTICLE I.—OF LICENSING OWNERS OF HACKNEY COACHES OR CABS.

§ 1. The Mayor of the City of New York for time being shall from time to time issue licenses under his hand and seal to so many and such persons as he shall think proper, to keep hackney coaches, carriages, and cabs for hire in the said city, and to revoke any or all of said licenses for cause.

§ 2. No person who is not a citizen of the United States, a resident of this city for the last six months, and the owner of two good horses for such hackney coach, or one for such cab, with a good and sufficient coach or cab, shall be licensed as aforesaid.

§ 3. The Mayor of said city shall administer to any person applying for such license an oath or affirmation on clause two of this article, and may examine such applicants relative to all necessary qualifications to receive such license.

§ 4. All licenses granted to the owners of hackney coaches, carriages, and cabs shall expire on the first Monday of June next after the date thereof.

§ 5. If the owner of any hackney coach, carriage, or cab, who may have received a license as aforesaid, shall sell or dispose of such coach, carriage, or cab before the expiration of such license, such licensed owner shall, within five days of the date of such sale or disposal, report the same to the Mayor, and the Mayor may transfer such license on the payment of one dollar, provided the said purchaser is qualified under clause second of this article. And every such owner of a hackney coach or cab who shall neglect to report such sale or disposal as aforesaid shall be liable to a fine of five dollars.

§ 6. No person shall be entitled to have his license renewed unless he shall make it satisfactorily appear that he is still eligible under clause second of this article.

§ 7. Every license shall state the number for which it is granted.

§ 8. Every person who may be licensed as aforesaid shall pay to the License Bureau the sum of five dollars for each hackney coach, carriage, or cab which they shall keep for hire.

§ 9. Every person who shall keep or drive any hackney coach or cab for hire in the City of New York, without being licensed as aforesaid, shall be liable to a fine of ten dollars for every such offense.

#### ARTICLE II.—OF LICENSING DRIVERS OF HACKNEY COACHES OR CABS.

§ 1. The Mayor of the City of New York shall have full power and authority from time to time to issue licenses under his hand and seal to so many and such persons as shall be vouched for by the Alderman of the district in which the applicant may reside, by the owner of the carriage or cab for which he applies for license for, and by one other reputable citizen who knew said applicant, for the space of one year, to be of good moral character; and the Mayor may revoke any or all of such licenses for cause, provided nothing in this clause shall be deemed to interfere with any driver who may be licensed previous to its adoption until the expiration of the time as such license was granted for.

§ 2. Any driver who may be licensed under clause 1 of this article may have his license transferred, with the consent of the Mayor, on written application of the owner of the coach or cab he applies for transfer to, and on payment of the sum of twenty-five cents to the License Bureau.

§ 3. All licenses of drivers of hackney coaches and cabs shall expire one year from the date thereof.

§ 4. Every driver of a hackney coach or cab shall pay to the License Bureau the sum of one dollar; and no person shall drive any hackney coach or cab without being at the time licensed, under the penalty of five dollars.

§ 5. No owner of any hackney coach or cab shall allow any person to drive such coach or cab who is not licensed as aforesaid, nor any other coach or cab but the one for which said driver received his license, under the penalty of five dollars for each offense.

§ 6. Any driver who shall be thrice convicted of a breach of any of the clauses of these articles shall be deprived of his license, and forever debarred of a license, at the option of the Mayor.

#### ARTICLE III.—RATES AND PRICES OF FARE.

§ 1. The price or rates of fare to be asked or demanded by the owners or drivers of hackney coaches or cabs shall be as follows:

§ 2. For conveying one or two passengers any distance not exceeding one mile, seventy-five cents, and for each additional passenger, twenty-five cents.

§ 3. For conveying one or two passengers any distance exceeding one and not exceeding two miles, one dollar and a half, and for every additional passenger, twenty-five cents per mile.

§ 4. For conveying one or two passengers any distance exceeding two and not exceeding three miles, two dollars, and each additional passenger, fifty cents.

§ 5. For conveying one or two passengers any distance exceeding three and not exceeding four miles, two dollars and a half; each additional passenger, fifty cents.

§ 6. For conveying one or two passengers any distance over four miles, not otherwise provided for, will be at the rate of seventy-five cents per mile or part of a mile, and each additional passenger, fifty cents.

§ 7. To and through Central Park from any point in and between Fourteenth and Forty-second streets, with privilege of keeping the carriage and returning, five dollars.

§ 8. To and through Central Park from any point north of Forty-second street and south of One Hundred and Thirtieth street, with privilege of keeping the carriage two hours and returning, four dollars.

§ 9. To and through Central Park from any point below Fourteenth street and north of One Hundred and Seventy-fifth street to Kingsbridge, with privilege of keeping the carriage three hours and returning, six dollars.

§ 10. To Harlem and Manhattanville, south of One Hundred and Thirtieth street, from any point below Fourteenth street, with privilege of remaining one and a half hour, and returning, six dollars.

§ 11. To Harlem and Manhattanville, south of One Hundred and Thirtieth street, from any point in and between Fourteenth and Forty-second streets, remaining there one hour and returning, five dollars.

§ 12. To High Bridge and North of One Hundred and Thirtieth street, with privilege of keeping the carriage there one and a half hours, and returning from any point south of Fourteenth street, seven dollars.

§ 14. To any point north of High Bridge and to and south of Kingsbridge, with privilege of remaining there two hours and returning, from any point in and between Fourteenth and Forty-second streets, eight dollars.

§ 15. To any point north of High Bridge and to and south of Kingsbridge, with same privilege from any point below Fourteenth street, nine dollars.

§ 16. To any of the places mentioned in clauses 10, 11, 12, 13, 14, and 15, from any point north of Forty-second street, and in and south of Fifty-ninth street, the fare will be one dollar less.

§ 17. To balls and theatres and returning, from any point below Fifty-ninth street, three dollars.

§ 18. For the use of a carriage by the hour, with the privilege of going from place to place, and stopping as often and long as may be required, one dollar and a half, excepting of cabs, the fare for which will be one dollar per hour.

§ 19. Clauses 7 to 18 of this article will be for one, two, three, or four passengers.

§ 20. Children under 8 years, free; over, adult fare.

§ 21. Line balls, one passenger, to any point south of Fifty-ninth street, two dollars; each additional passenger, fifty cents.

§ 22. Every owner or driver of any hackney coach or cab shall carry on his coach or cab one piece of baggage for each passenger therein without extra charge, but for any extra baggage he may carry he shall be entitled to extra compensation, and a cubic foot measurement will be deemed a piece of baggage.

§ 23. Through all streets, lanes, and avenues of this city twenty blocks will be deemed a mile, except between the lettered and numbered avenues, as from First to Twentieth street, or from Fourteenth to Thirty-fourth street, seven blocks between the numbered or lettered avenues will be deemed a mile, as from Avenue B to Sixth avenue, or from Second to Ninth avenue.

§ 24. All disputes, as to the prices or distance, to be settled by the Mayor, or such other person as he may designate.

§ 25. In all cases, when the hiring of a hackney coach or cab is not at the time thereof specified to be by day or hour, it shall be deemed to be by the mile, and for any detention exceeding fifteen minutes, when so working by the mile, the owner or driver may demand at the rate of one dollar per hour.

§ 26. The owner or driver of any hackney coach or cab shall not demand nor be entitled to receive any pay for the conveyance of any passenger unless the number of the carriage and rates of prices be conspicuously fixed in and on said carriage or cab, as hereinafter provided by clause 1 of article IV., under penalty of ten dollars.

§ 26. The owner or driver of any such coach or cab who may have demanded and received any fare in excess of what is provided for in this article, shall return the excess received, and be liable to a penalty of five dollars.

§ 27. Every licensed owner or driver of any hackney coach or cab shall have the right to demand his fare of the person or persons employing him on their entering his coach or cab, and may refuse conveying such person or persons as does not comply with said demand.

§ 28. The fare to Jerome Park and Fleetwood Park will be as per clauses 14 and 15 of this article, with privilege of remaining from the commencement of the first race to fifteen minutes after the conclusion of the last race on race days.

§ 29. Every licensed owner or driver of any hackney coach, carriage, or cab in the City of New York, whenever he shall drive any such coach, carriage, or cab, or shall be with his coach, carriage, or cab on any public stand, or at any of the steamboat or other landings or railroad depots, or while waiting for employment at any place in said city, shall wear conspicuously on his left breast a badge in the form of a shield, to be made of German silver, or other white metal, and of a size sufficient to admit the number of the coach to be engraved thereon in plain black figures, and no less than one-half inch in length, with the word "Licensed" above, and the word "Hack" beneath such number, in semi-circular form, the letters to be not less than one-quarter of an inch in length.

#### ARTICLE IV.—OF REGULATING AND NUMBERING OF COACHES AND CABS.

§ 1. Every hackney coach or cab which shall make use of any of the public hack stands made or designated, now or hereafter, shall be marked and numbered as follows, to wit:

The number of the license of the owner thereof shall be fixed in plain legible brass figures, raised, or silver-plated, plate engraved. Said figures to be of two inches in length and one-quarter inch in width, to be placed in each side of such coach or cab, and one on the inside in such conspicuous place as the Mayor may designate.

§ 2. Every hackney coach or cab, while waiting for hire or used from any public stand, or railroad depot, or steamboat landing, at night, shall have fixed on some conspicuous part of the outside thereof two lighted lamps, with two plain glass fronts and sides on each lamp, and having the license number of the owner in plain legible figures, of at least two inches length, and no other figure or devise, in black paint on the glass side of each lamp, in such a manner that the same may be distinctly seen at a distance of ten feet, whether said carriage or cab is standing or driving.

§ 3. There shall be fixed in each hackney coach or cab, in such a manner as can be conveniently read by any person riding in the same, a card containing the name of the owner of said carriage, the number of his license, and the whole of article III. of this chapter printed in plain legible characters, said article III. to be provided by the License Bureau in pamphlet or card form, and to be furnished free to the owner of such hackney coach or cab.

§ 4. No owner or driver of any hackney coach or cab, whilst on any public stand that is now or hereafter to be made, or at any passenger steamboat landing, or railroad depot, waiting for employment, shall refuse or neglect to convey any person or persons to place or places in the City of New York, on his being applied to for that purpose, and shall immediately carry such person or persons to such place or places as they shall request, and shall not place any other person or persons in such coach or cab without the consent of the party or parties first employing him, and on such person or persons complying with clause 26, article 3 of this ordinance; provided nothing in this clause shall be deemed to compel any licensed owner or driver to carry in his coach or cab any drunken or other disorderly person or persons, or any person or persons suffering from any filthy or contagious disease, or with filthy clothing or baggage.

§ 5. No person, whether owner or driver of any hackney coach or cab, while waiting for employment at any of the public stands, or any stand that may hereafter be made, or at any steamboat landing, railroad depot, or at any other public place in the city, shall snap or flourish his whip, or be guilty of any disorderly act; and every such owner or driver of any hackney coach or cab who shall neglect to comply with the provisions of this clause shall be liable to a fine of five dollars for every such offense.

§ 6. All the provisions and penalties of this chapter, except those requiring lamps, shall apply to sleighs which shall come upon or use the public stand or other places in this chapter designated for them, and to the owners and drivers thereof, to be used or driven for the conveyance of passengers for hire in this city; and said owners or drivers of hackney coaches and cabs are hereby permitted to use sleighs, when possible, in place of such coaches and cabs.

§ 7. Every owner, or driver, or person having charge of any hackney coach or cab shall, upon being requested to do so, give to any person or persons the number of his coach or cab, the names of the owner and driver thereof, and their place of abode and stable.

§ 8. No individual or firm shall be entitled to receive license to run more than six hackney coaches or cabs.

§ 9. Any person or persons who shall violate any or either of the provisions of this article shall be liable to a penalty of ten dollars fine, to be imposed by the Mayor, or sued for and recovered by the Corporation Attorney, for the use of the city.

§ 10. Any person or persons who shall violate any of the provisions of this ordinance shall be brought before the Mayor's First Marshal by any police officer who may arrest them; said Marshal, and no other person, shall impose all fines and penalties for any violation of this ordinance; and on such delinquent refusing to pay said fines, his license to be by the Marshal revoked, and to be sued for and collected by the Attorney to the Corporation.

#### ARTICLE V.—PLACES AT WHICH HACKS MAY STAND FOR HIRE.

§ 1. The Mayor of the City of New York, with the advice and consent of the Aldermen of each district, may, from time to time, designate places in each district, as they shall deem proper, at which hackney coaches and cabs may stand for employment.

§ 2. The owner or driver of any hackney coach or cab, which shall stand waiting for employment at any other place than herein designated, shall be liable to a fine of ten dollars by the Mayor, or to be sued for and recovered by the Attorney to the Corporation, for the use of the city.

#### ARTICLE VI.—SPECIAL PLACES AT WHICH HACKNEY COACHES AND CABS MAY STAND, NOT OTHERWISE PROVIDED.

§ 1. At all passenger steamboat landings, fifteen minutes before the usual time of arrival of such passengers' steamboats.

§ 2. At all theatres and other places of public amusement, fifteen minutes before the conclusion of the performance.

§ 3. At all railroad depots, five minutes previous to the arrival of all passenger trains.

§ 4. At all other places, such as the Mayor and Aldermen may, from time to time, designate.

#### ARTICLE VII.—PERMITS TO DRIVERS.

§ 1. The Mayor of the City of New York shall have full power and authority to grant permits to drive to capable young men, between the age of eighteen and twenty-one years, when it is satisfactorily shown to him that such applicant is the sole or chief support of aged or indigent parents or other relations, or the son of the owner, whose coach he applies for permit to drive; such permit to be for not more than one year.

#### ARTICLE VIII.—OF SPECIAL COACHES OR CARRIAGES.

§ 1. The proprietor of any hackney coach or carriage who does not intend to come upon and use the public stands with such hackney coach or carriage shall, at the time of applying for a license for the same, state, in writing to the Mayor, such intention; and thereupon a special license may be granted, in the discretion of such Mayor, to such proprietor.

§ 2. For every such special license granted by virtue of the provisions of this chapter shall be paid the sum of five dollars.

§ 3. Every such license shall expire on the first Monday of June next after the date thereof, and may be renewed on application for such purpose.

§ 3. No hackney coach, carriage, or cab which shall be specially licensed by virtue of the provisions of this chapter shall make use or come upon any stand that is now or may be hereafter designated as a hackney coach stand, or at any other place in the City of New York, except in front of any hotel or hotels, or at any other place which may be designated by the Mayor, and which may be used as a stand with the approval and consent of the persons occupying the premises in front of which said coaches or carriages are to be permitted and allowed by the authority of the Mayor as aforesaid; provided that the owner or drivers of any such coach or cab shall not solicit, nor take any passenger or passengers on the streets, but shall confine themselves solely to and for the use of the guests of said hotel or hotels. Any violation of this section will be punished by a fine of ten dollars by the Mayor's Marshal, or to be sued for and recovered from the owner thereof.

§ 4. Every such special coach or cab shall be entitled to receive such fare as may be mutually agreed on between the owner or driver and the person or persons employing them, but when there is no agreement at the time of hiring such coach or cab, the fare shall be as per article III. of this ordinance.

§ 5. The person or officer exercising the duties of the Superintendent of Hacks shall, at all reasonable times, have free access to such hackney coaches and carriages, within the premises of their several proprietors, as shall be necessary for the performance of his duties, under a penalty of ten dollars upon each and every person who shall obstruct, disturb, or molest the said person or officer whilst in the discharge of his duties as aforesaid.

§ 6. The several provisions and penalties of article I., and of sections 1, 2, 3, and 4 of article II., shall, in all and every respect, apply to hackney coaches and carriages which may be licensed by virtue of the provisions of this article, and the owners and drivers thereof, severally and respectively.



## ARTICLE IX.—OF THE SUPERINTENDENT OF HACKNEY COACHES, CARRIAGES, AND CABS.

§ 1. It shall be the duty of the person or officer exercising the duties appertaining to the office of Superintendent of Hacks to visit the public stands and all places where hackney coaches and carriages are permitted to stand; he shall have power and authority to order away from the stands, and from all other places, any hackney coach, carriage, or cab not provided with a number or with lamps fixed up, lighted, and numbered, as hereinbefore required, or not furnished with proper and suitable harness and horses, or if the same shall be improperly obstructing the way or street, or if the horses attached thereto are unruly, or if the driver or person having charge of any such hackney coach, carriage, or cab is intoxicated, or in any manner misbehaves himself.

§ 2. If any person having charge of such hackney coach, carriage, or cab shall refuse or neglect to obey any such order of the said person or officer, he or they shall forfeit and pay for every such offense the sum of five dollars, to be recovered from the owners or driver of such hackney coach or carriage, severally and respectively.

§ 3. It shall be the duty of the said person or officer to see that all the laws regulating hackney coaches, carriages, and cabs are, in every respect, complied with; and it is particularly enjoined upon the said person or officer that he report all offenders to the Mayor's First Marshal.

The said person or officer, under the direction of the Mayor, or other person designated by him, shall determine the number of coaches and carriages for any particular stand, and he shall also designate the coaches or carriages which shall wait for employment at any particular stand, and also for the proper boundaries and limits of every stand.

Which was referred to the Committee on Law Department.

(G. O. 42.)

By Alderman McCarthy—

Resolved, That Fifty-fifth street, from Avenue A to East river, be regulated and graded, the curb and gutter stones set, and the sidewalks flagged a space four feet wide, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was laid over.

By Alderman Cudlipp—

Resolved, That crosswalks be laid at the intersection of Fourth avenue and Sixty-fifth street, under the direction of the Commissioner of Public Works; and that the accompanying ordinance therefor be adopted.

Which was referred to the Committee on Street Pavements.

(G. O. 43.)

By Alderman Cole—

Resolved, That the Comptroller be and he is hereby authorized and directed to draw a warrant in favor of Samuel E. Warren for the sum of two hundred and fifty dollars (\$250) for engrossing and framing the preamble and resolutions passed by the Common Council in relation to the visit of the American Rifle Team to the City of Dublin, and charge the same amount to the appropriation for "City Contingencies."

Which was laid over.

## REPORTS.

(G. O. 43½.)

The Committee on Ferries and Dock Department reported the following:

Whereas, In a communication addressed to this Board, in answer to a resolution of inquiry, the Department of Docks clearly demonstrates the practicability of lighting the open piers and bulkheads along the entire water front of this city, at a comparatively trifling annual expense, and submits three separate plans, either of which, with but little difference in cost, will answer the purpose (see pages 232 to 248 of proceedings of November 18, 1875); and as the desirability of lighting the piers is conceded on all hands, and as it is easily proven that the saving of property exposed to depredation will more than compensate for the outlay alone, omitting entirely the value of additional security to life it will afford; be it

Resolved, That the Commissioner of Public Works be and he is hereby authorized and directed to cause the piers and bulkheads of this city to be lighted, adopting the first and second of the three methods mentioned in the communication above referred to, and the Department of Docks is hereby directed to co-operate with the Department of Public Works in the work of lighting the piers and bulkheads of this city; the expense to be charged to the appropriation for lamps and gas, except such portion as may have to be borne by the Department of Docks in providing wooden lamp-posts or piles, which shall be charged to the proper appropriation in that Department.

MAGNUS GROSS, } Committee  
MICHAEL TUOMEY, } on Ferries and  
WM. WADE, } Dock Department.

Which was laid over.

(G. O. 44.)

The Committee on Public Works, to whom was referred the annexed resolution in favor of lighting Mechanics' alley with gas, respectfully

## REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution be adopted.

Resolved, That Mechanics' alley be lighted with gas, under the direction of the Commissioner of Public Works.

WM. H. MCCARTHY, } Committee  
HENRY D. PURROY, } on  
JACOB HESS, } Public Works.

Which was laid over.

(G. O. 45.)

The Committee on Public Works, to whom was referred the annexed resolution in favor of laying gas-mains, erecting lamp-posts, and lighting street-lamps, in Fifty-second street, between Broadway and Seventh avenue, respectfully

## REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. They therefore recommend that the said resolution be adopted.

Resolved, That gas-mains be laid, lamp-posts erected, and lamps lighted in Fifty-second street, between Broadway and Seventh avenue, under the direction of the Commissioner of Public Works.

WM. H. MCCARTHY, } Committee  
JACOB HESS, } on  
HENRY D. PURROY, } Public Works.

Which was laid over.

(G. O. 46.)

The Committee on Public Works, to whom were referred the annexed petition and resolution in favor of changing the grade of Fifty-eighth and Fifty-ninth streets, from Avenue A to East river, respectfully

## REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary. And, having been authorized according to law, they therefore recommend that the said resolution be adopted.

Resolved, That the grade of Fifty-eighth street and Fifty-ninth street, from Avenue A to the East river, be changed so as to conform to the red lines and figures in the accompanying diagram.

WM. H. MCCARTHY, } Committee  
HENRY D. PURROY, } on  
JACOB HESS, } Public Works.

Which was laid over.

(G. O. 47.)

The Committee on Salaries and Offices, to whom was referred the annexed resolution, authorizing the Clerk of the Board to have the engrossing of its minutes completed, respectfully

## REPORT:

That they have examined the subject, and ascertained there are yet to be completed nineteen volumes of the Board of Aldermen. At eight cents per folio, the lowest limit which the engrossing of the proceedings can be done for, will be eighteen hundred dollars. Your Committee therefore submit the following:

Resolved, That the Clerk of this Board be and he is hereby authorized and directed to cause the engrossing of its proceedings to be completed up to January 1, 1875, in order to complete the manuscript records of the city government up to that period, and to perfect the series which extend back to the Dutch period in the history of this city in 1653. The compensation for such engrossing not to exceed eight cents per folio, said amount not to exceed one hundred and fifty dollars for each month, commencing on the first of February, 1876, to be paid from the appropriation for "City Contingencies."

WM. L. COLE, } Committee on  
THOMAS SHEILS, } Salaries and Offices.

Which was laid over.

The Committee on Salaries and Offices, to whom was referred the annexed resolution to reappoint Thomas McGrath a Commissioner of Deeds, respectfully

## REPORT:

That Mr. McGrath is one of the City Marshals, and it is necessary in the transaction of his business to be a Commissioner of Deeds. They therefore offer for adoption the following resolution:

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

WM. L. COLE, } Committee  
THOMAS SHEILS, } on  
J. C. PINCKNEY, } Salaries and Offices.

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

Which was decided in the affirmative by the following vote:

Affirmative—The President, Aldermen Billings, Cudlipp, Gross, Guntzer, Hess, Lysaght, McCarthy, Morris, Pinckney, Purroy, J. Reilly, B. Reilly, Sauer, Seery, Sheils, Tuomey, and Wade—18.

## MOTIONS AND RESOLUTIONS RESUMED.

Alderman Morris moved that the Committee on Charities and Correction be discharged from the further consideration of a preamble and resolution in relation to the distributing relief to the out-door poor.

But he subsequently withdrew the motion.

Whereupon, Alderman Cole presented the following:

Resolved, That the Committee on Charities and Correction be and they are hereby discharged from the further consideration of the subject of the resolution directing the Department of Charities and Correction to assist the out-door poor, by the distribution of money, coal, etc., among the needy and deserving poor of this city.

But he also subsequently withdrew the resolution.

In connection with this subject, the following communication was received from the Department of Charities and Correction:

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,  
NEW YORK, February 1, 1876.

To the Honorable the Board of Aldermen:

GENTLEMEN—In answer to a resolution introduced into your Honorable Body at your last meeting, and referred to the Committee on Charities and Correction, the Commissioners respectfully state that they will be obliged, in consequence of the limited fund appropriated for the support of the Department, during the current year to confine their donations to the out-door poor to the article of coal, which they are already dispensing in small quantities to such indigent persons as are reliably represented to them as entitled to public relief.

A reference to the following tabular statement of the operations of the Department for the nine years, from 1867 to 1875, both inclusive, will demonstrate the expediency and necessity of the policy which the Commissioners have adopted:

YEAR.	CENSUS.	APPROPRIATION.	EXPENDED.	SALARIES.	SUPPLIES.	CASH O. D. POOR.	NEW BUILDINGS AND REPAIRS.	PER CAPITA.
								cts. mills
1867.....	7,127	\$1,408,062 50	\$1,353,142 41	\$199,258 92	\$781,492 88	\$58,801 21	\$313,589 40	37 7.0
1868.....	7,189	1,549,693 01	1,535,578 85	243,352 34	741,009 10	104,904 33	446,303 08	37 5.1
1869.....	7,716	1,573,641 13	1,635,043 77	285,328 97	927,401 62	118,959 46	303,153 72	43 1.0
1870.....	8,360	1,930,512 45	1,984,521 24	361,335 89	1,103,190 30	103,005 18	416,989 87	48 0.0
1871.....	8,778	1,785,985 31	1,771,610 15	402,105 13	938,102 03	88,581 26	342,731 73	41 8.2
1872.....	7,646	1,295,939 44	1,279,790 74	428,797 26	774,688 41	61,995 19	14,309 88	43 1.2
1873.....	9,154	1,468,000 00	1,472,099 59	430,743 09	662,237 68	64,120 94	14,997 88	41 6.9
1874.....	10,289	1,324,345 00	1,218,126 31	354,509 23	737,416 83	65,405 33	60,794 92	29 0.6
1875.....	10,387	1,278,000 00	1,243,197 08	304,949 56	767,293 78	76,124 22	94,829 52	28 2.8

## OUT-DOOR POOR.]

YEAR.	MONEY.	COAL.	TRANSPORTATION.	TOTAL.
1867.....	\$42,941 75	\$13,530 10	\$2,329 36	\$58,801 21
1868.....	65,452 93	37,474 62	1,976 78	104,904 33
1869.....	73,094 80	43,854 86	2,009 80	118,959 46
1870.....	77,987 50	23,299 17	1,718 51	103,005 18
1871.....	55,066 50	31,783 40	1,731 36	88,581 26
1872.....	34,703 50	25,597 33	1,694 36	61,995 19
1873.....	42,810 25	20,081 75	1,228 94	64,120 94
1874.....	40,119 00	24,637 14	649 19	65,405 33
1875.....	48,231 00	26,826 94	1,066 28	76,124 22

The per capita expense incurred in the maintenance of the inmates of the several institutions, during 1875, is less than in any preceding year. In 1874 the average number supported was 10,289; in 1875, 10,387. The following figures exhibit the relative expenditures of those years:

	SALARIES.	SUPPLIES.	OUT-DOOR POOR.	NEW BUILDINGS AND REPAIRS.
1874.....	\$354,509 23	\$737,416 83	\$65,405 33	\$60,794 92
1875.....	304,949 56	767,293 78	76,124 22	94,829 52

Decrease, \$49,559 67 Increase, \$29,876 95 Increase, \$10,718 89 Increase, \$34,034 60

## RECAPITULATION.

Increase of Supplies.....	\$29,876 95
“ Donations to the Poor.....	10,718 89
“ Expenditures for Repairs.....	34,034 60
Decrease of Salaries.....	\$74,630 44
Nominal Increase.....	49,559 67
Deduct the excess of expenditure for the care of the Buildings in 1875 over 1874.....	\$25,070 77
And the actual reduction has been.....	34,034 60
	\$8,963 83

The increase in the outlay for supplies during the past year is referable wholly to the policy adopted on the advent of the present Board of purchasing a better quality of provisions for the hospitals and insane asylums. The figures do not, by any means, represent the improvement that has been made in this particular, as the general decline in the values of merchandise has afforded the opportunity for the purchase of almost every article consumed in the Department at lower relative prices than were paid during the previous year. But considerations of humanity seemed to impose upon them the obligation of making more generous dietary provisions for the infirm of body and mind, and ministering to the comfort and recovery of these unfortunates by supplying them with such nutritious condiments as their condition required.

In July last the following letter was received from the State Commissioner in Lunacy:

STATE OF NEW YORK,  
OFFICE OF THE STATE COMMISSIONER IN LUNACY,  
ROSLYN, QUEENS CO., July 21, 1875.

To the Board of Commissioners of Public Charities and Correction  
of the City and County of New York:

GENTLEMEN—It becomes my official duty to call your attention to the need of certain radical changes in the internal management of the insane asylums under your charge, with a view to improving their efficiency in administration, and their curative capacities as hospitals. The statutes which permit certain counties in this State to treat cases of acute insanity in asylums of their own, are based upon the presumption that such counties will at all times afford their insane patients as good treatment in every respect as can be obtained in State asylums, for the State, as guardian of its eleemosynary population, makes no distinction between city and county paupers; and it is upon this condition alone, that an exemption in favor of such counties is permitted both as to matters of fact as well as by implication of law. On the 24th of May, 1874, I addressed a communication upon this subject to your predecessors in office, and received in return a reply of financial disability, by way of extenuating many omissions in administration, freely confessed and admitted as of long standing, but said to be inevitable. Believing in the promises of amelioration made to me, I forebore taking any legal measures to test the validity of these statements (which proved to be only dilatory pleas), until the Commissioners went out of office. The lagacy of these omissions, which has now fallen into the hands of your Board and been administered by them for over six months, not appearing to have attracted your attention to the extent of their importance, I have accordingly taken this method of bringing them to your notice. Under the statute of 1874 (chap. 446, title x., sec. 4, amended this year, chap. 574, secs. 17 and 18), it is made my duty to bring such cases before the Supreme Court for immediate relief. Not wishing at this time to do more than to notify you of existing deficiencies, I would suggest that you appoint some day before 30th July, inst., when I can meet your Board, and lay before you the details of reform, which, in my opinion, require to be carried out in both of your insane asylums.

Very respectfully, yours,

JOHN ORDORNAUX,  
State Commissioner in Lunacy.



The following is the letter referred to by Dr. Ordrónaux, addressed to the previous Board:

STATE OF NEW YORK,  
OFFICE OF THE STATE COMMISSIONER IN LUNACY,  
ROSLYN, QUEENS COUNTY, May, 23, 1874.

Hon. WM. LA'IMBEER, President of the Board of Commissioners of Charities and Correction:

DEAR SIR—It becomes my official duty to call the attention of your Board to the insufficiency of the dietary furnished in the Lunatic Asylums on Blackwell's and Ward's Islands. No complaints have been made by the inmates themselves; nor in their state of mind are they competent to speak of their own wants in this matter. The question of their alimentation is both a practical one as to quantity, and a scientific one as to quality. Variety and apportionment of the former they can only judge grossly; of the latter, scarcely at all.

In a problem of this kind the first point to consider is that the insane are a sick and depreciated class, who are sounding the depths of physical deterioration. Their only hope of recovery lies in rebuilding the foundations upon which all mental power depends for expression; and that is a good substratum of nervous energy. Experience shows that this can only be obtained through generous nourishment, long and regularly administered.

Unless it be done, they soon drift into a chronic state, whose duration of life is measured by many years, during which recovery ceases to be probable. As their future condition is thus largely prepared and determined by the daily care they receive in this particular, it becomes the part of wisdom to secure the opportunity of recovery existing in the early stages of their disease, by every advantage which can be employed, and it cannot be necessary in this connection to inform so enlightened a Board as your own, that in the treatment of any stage of insanity, food overpowers medicines as a permanent agent.

I am well aware of the financial limitations under which the Commissioners have been placed by inadequate appropriations during the past two years, and the consequent difficulties under which they have labored in carrying out the varied and constantly expanding charities devolving upon them; a public demand for retrenchment in civil expenditures has, in all Departments of our city government, imposed obligations of extreme economy upon all persons intrusted with the disbursement of public funds. But were this even a positive enactment, it could not be technically applied by rule of anticipation to public charities, since disbursements here are always to be made upon an equitable construction of the necessities of beneficiaries, whose sliding scale of demands constantly varies with numbers, diseases, and degrees of destitution. Hence, it is eminently within the discretion of the Commissioners to apportion the funds given them according to the exigencies of their trust; for their first duty is not to the fund but to the beneficiary, and I am very sure that the same public which provides the fund would enlarge it if the Commissioners would call its attention to the fact that, with their present appropriation, they cannot meet the demand made upon them for the changes in dietary that are required by the insane now under their care. No class of persons have a higher claim upon our commiseration. Prisoners against their will, and for no crime; and that, too, without the resources or the solace of an unclouded mind to soften the long hours of isolation and weary waiting for the day of deliverance, the insane deserve, as they also need, every physical and moral comfort which is suited to their condition. The citizens of New York, in their demand for economy in public expenditures, cannot intend that this principle should obstruct the freedom of action, or the humane discretion of those Commissioners to whose wisdom and integrity they have committed the solemn trust of disbursing our public charities; and if your Board are not possessed of the powers or the means necessary to carry out the measures of reform above suggested by me, I need only remind them that the source whence both are derived, and which expresses its will through public opinion, is never worked in vain whenever the appeal is made in behalf of the poor, the sick, or the friendless.

I am, very respectfully,

JOHN ORDRONAUX.

After a conference with Dr. Ordrónaux and the Medical Superintendents of the two lunatic asylums, it was decided, in conformity with their emphatic recommendations, to make still more liberal arrangements for the latter class of inmates, and the additional expense incurred thereby has necessitated the most rigid economy in all other branches of the service. The benefits that have already accrued from the change are briefly summed up in the following extracts, from the reports of the physicians having charge of those institutions:

From Dr. Macdonald, Superintendent of the New York City Asylum for the Insane, Ward's Island: "—for the first nine months of 1875, the death rate was fourteen each month; for the last three, and since the adoption of the new dietary scale, it has been seven—just one half. The death rate dropped from fourteen to ten, in the first month, after the new dietary table went into force; to eight in the second, and to four in the third.

"I do not see that anything can add to the weight of these figures, in asserting the expediency of your course, in increasing the provisions for the care and cure of the insane."

From Dr. Parsons, Superintendent of the Lunatic Asylum, Blackwell's Island:

"The new dietary, for our patients, has been in use a little more than three months, and has proved highly satisfactory. An increased degree of cheerfulness has been the immediate result. An increased ratio of recoveries may be reasonably anticipated. It is a significant fact, that the ratio of deaths at this institution has been nearly six per cent. less than the ratio for the corresponding months, in the aggregate, since 1847."

The Board of Estimate and Apportionment reduced the appropriation to the Department \$205,000 below the estimate unanimously passed upon the Commissioners, making it relatively smaller than it ever was before. This extraordinary curtailment compelled an instant reduction of expenses, at all points where it was practicable. And the appropriation made by the Board for the purchase of coal for the out-door-poor is as large a draft as they can possibly venture to make upon their inadequate funds, with reasonable regard to the necessities of the inmates of the several institutions of the Department.

ISAAC H. BAILEY,  
THOMAS S. BRENNAN, } Commissioners.  
TOWNSEND COX,

Which was referred to the Committee on Charities and Correction.

By Alderman McCarthy—

Resolved, That the Commissioners of Charities and Correction be requested to appoint a visitor of the out-door poor, for the Twelfth and Nineteenth Wards.

Alderman Purroy moved to amend by including the Twenty-third and Twenty-fourth Wards.

Which was accepted by Alderman McCarthy.

Alderman Lysaght moved to amend by including all the wards in the Fourth Senatorial District.

Alderman Billings moved to amend by including the whole city.

Alderman Seery moved that the whole subject be referred to the Committee on Charities and Correction.

The President 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 McCarthy, viz.:

Affirmative—Aldermen Billings, Gross, Guntzer, Hess, Lysaght, Morris, Pinckney, Purroy, J. Reilly, Sauer, Seery, and Wade—12.

Negative—The President, Aldermen Cole, Cudlipp, McCarthy, B. Reilly, Sheils, and Tuomey—7.

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

The President laid before the Board the following communication from the Counsel to the Corporation:

LAW DEPARTMENT,  
OFFICE OF THE COUNSEL TO THE CORPORATION,  
NEW YORK, February 3, 1876.

To the Honorable the Common Council:

GENTLEMEN—I have received a copy of a resolution adopted by your Honorable Body on the 27th of January, ultimo, of which the following is a copy:

"Resolved, That the Commissioner of Public Works be and he is hereby respectfully requested to report to this Board at its next meeting his opinion in regard to the best mode (whether by contract or days' work) of performing the work mentioned in section 2 of chapter 477 of the Laws of 1875.

"Also, whether in his opinion the nature of the said work requires, and the interests of the city demand, that it be left discretionary with him as to which of the two systems should be employed; be it also

"Resolved, That the Counsel to the Corporation be and he is hereby respectfully requested to report at the next meeting of this Board his opinion as to whether the Common Council have the power under said act to direct in which of said modes the said work shall be performed and the extent and limitations upon said power; be it also further

"Resolved, That all ordinances now pending before this Board, directing work to be done under said act, be laid over until said opinions be received."

I have had occasion heretofore, at the request of the late Commissioner of Public Works, to examine the provisions of section 2 of chapter 477 of the Laws of 1875 referred to by you, and since the adoption of your resolution I have carefully re-examined the questions involved, and am of the opinion that the statute in question intended to vest in the Commissioner of Public Works exclusively the discretion as to the manner in which materials and labor should be procured.

I am led to this conclusion not only by the express terms of the act itself but also by other considerations as to what must have been the intent and purpose of the Legislature in passing the statute. Said section 2 of chapter 477 is as follows:

"The Commissioner of Public Works of the City of New York, when thereunto authorized by a three-fourths vote of all the members elected to the Common Council of said city, to be approved by the Mayor of said city, is hereby authorized to expend, for materials and labor and other services, in

such manner as the said Commissioner shall deem for the best interests of said city, in laying pipes to extend and enlarge the distribution of Croton water through the City of New York, including the two new wards, and to furnish a sufficient supply thereof to the institutions in charge of the Department of Public Charities and Correction located on Blackwell's Island, Ward's Island, and Randall's Island, and in laying mains necessary to deliver said water at higher levels and in greater quantities, an additional sum not exceeding one million five hundred thousand dollars."

I think that this section is to be construed as it is read in the following manner: "The Commissioner of Public Works of the City of New York, when authorized by a three-fourths vote of all the members elected to the Common Council of said city, may expend an additional sum not exceeding one million five hundred thousand dollars in laying pipes to extend and enlarge the distribution of Croton water through the City of New York; and the said Commissioner is also hereby authorized to procure the materials, labor, and services necessary in doing said work in such manner as the said Commissioner shall deem for the best interests of said city."

In other words, the section contains, in substance, two distinct provisions: (1) The provision authorizing the expenditure of a million and a half of dollars for the purposes named in the section, but requiring that such expenditure should be first sanctioned by a three-fourths vote of the Common Council. (2) That when such sanction has been given by the Common Council, the Commissioner of Public Works shall lay the pipes and mains mentioned in the section and shall procure the materials, labor, and services necessary for the work in such manner as he shall deem for the best interests of the city. This seems to me to be the natural and necessary construction of the language used in the statute. There are also some other considerations which confirm me in this opinion. In the carrying on of any local improvements, such as the regulating and grading of streets, the laying of pavements and flagging, curb and gutter stones, and the construction of sewers, the question as to whether such works shall be done by contract or days' work is usually one mainly of expense. It is generally conceded that such works may be done equally well by days' labor, but it is claimed by some that they can be done more economically by contract. In reference to the laying of Croton water pipes and mains, however, other considerations are to be kept in view. It is necessary to connect the new mains and pipes with the old ones, and in some cases to do blasting in the immediate vicinity of the large mains and pipes upon which the city is dependent for its daily supply of water. It is, therefore, of the highest importance that the work should be done with great care and skill. A careless blast by a contractor might cause immense annoyance and loss both to the city and private individuals, for which the bond given by the contractor for the faithful performance of the work would afford no adequate security. In other statutes, heretofore passed by the Legislature, authorizing the doing of work in the vicinity of Croton water-mains, discretion has been given to the Commissioner of Public Works to do the work in such manner as he might regard best adapted to secure the safety of such mains. It seems to me, from this fact and the other considerations above mentioned, highly probable that in using the language employed in said section 2 of the act of 1875, namely, "in such manner as the said Commissioner may deem for the best interests of said city," the Legislature intended to vest the Commissioner of Public Works with the discretion in regard to the manner of doing the work so as to ensure the laying of the new mains and pipes in such manner as not to interfere with the safety of the water supply of the city.

It will be seen from the views above expressed that it was not intended by the Legislature to impose upon the Common Council the responsibility of deciding as to the manner in which the work had best be done for the interests of the city, but intended to leave that question to the decision of the executive department having the superintendence of the work. Upon several occasions resolutions have been introduced into your Honorable Body authorizing pieces of work to be done under this act, but which annexed to the authorization a condition as to the manner in which the work should be done. The effect of resolutions of that character would be that, if in the judgment of the Commissioner upon whom the discretion is by law imposed, the interests of the city were best served by doing the work in the manner which the Common Council have prescribed, as a condition to the authorization given by them, the resolution with the conditions would be effective, and the work authorized might then be performed by the Commissioner, but if, in any case, in the judgment of the Commissioner, the best interests of the city would not be subserved by doing the work in the manner prescribed by the Common Council, in the resolutions authorizing the same, then the authorization would be insufficient for him to go on with the work; that is to say, the Common Council have the power to say that the work shall be done in a certain way, or not at all, although the Legislature intended to leave the discretion, as to the manner in which the work should be performed, with the Commissioner of Public Works, and intended to vest the Common Council with the authority only of deciding as to the rapidity with which the improvements contemplated by the act should be conducted, and the places where and the times when they should be undertaken.

In other words, the law vests in the Commissioner of Public Works the discretion to say in what manner the labor and materials shall be procured. The Common Council may either refuse to pass any resolution whatever, authorizing the expenditure of money under the act, or they may adopt a resolution requiring the Commissioner to do the work in a manner which he does not approve. In either of these two cases, of course, no work can be done, nor money expended under this statute.

I am, gentlemen, yours, very respectfully,

WM. C. WHITNEY,

Counsel to the Corporation.

Which was ordered to be printed in the minutes and published in the CITY RECORD.

The President laid before the Board the following communication from the Commissioner of Public Works:

DEPARTMENT OF PUBLIC WORKS,  
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,  
NEW YORK, February 3, 1876.

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

GENTLEMEN—I have the honor to acknowledge the receipt of the following resolution, passed by your Board on the 27th ultimo:

"Resolved, That the Commissioner of Public Works be and he is hereby respectfully requested to report to this Board at its next meeting his opinion in regard to the best mode (whether by contract or by days' work) of performing the work mentioned in section 2, chapter 477, Laws of 1875.

"Also whether, in his opinion, the nature of the said work requires, and the interests of the city demand, that it be left discretionary with him as to which of the two systems shall be employed."

The section of the law referred to in the resolution is in the following words:

"The Commissioner of Public Works of the City of New York, when thereunto authorized by a three-fourths vote of all the members elected to the Common Council of said city, to be approved by the Mayor of said city, is hereby authorized to expend for materials and labor and other services, in such manner as the said Commissioner shall deem for the best interests of said city, in laying pipes to extend and enlarge the distribution of Croton water through the City of New York, including the two new wards, and to furnish a sufficient supply thereof to the institutions in charge of the Department of Public Charities and Correction located on Blackwell's Island, Ward's Island, and Randall's Island, and in laying mains necessary to deliver said water at higher levels, and in greater quantities, an additional sum, not exceeding one million five hundred thousand dollars."

Section 3 of the same law limits the expenditure in any one year to five hundred thousand dollars.

I respectfully answer—

First.—That, in my opinion, the best mode of performing the work contemplated by the law above quoted is by contract in very great part. There may be certain portions of said work, arising from its peculiar nature and character, which can be better done by skilled and experienced operatives in this particular branch of work, and which cannot at all times be provided for or covered by a contract. Indeed, it sometimes happens, even under the most carefully arranged contract, that some portion of the work has to be done and paid for by the day, though, as previously stated, the proportion of this kind of work would be quite small.

I answer, secondly.—That the law seems to require that this work, when duly authorized by the Common Council, and approved by the Mayor, shall be performed (to repeat the exact words of the statute) "in such manner as the said Commissioner shall deem for the best interests of said city."

The law evidently contemplates, by the words "in such manner," that it shall be left discretionary with the Commissioner of Public Works to expend the authorized amount for materials, labor, and other services, according to such plan of construction, and mode or method of execution (either by contract or days' work), as he may deem for the true and best interests of the city, and this, in my opinion, appears to be a natural and proper mode of procedure. The Commissioner of Public Works is presumed to be selected (I make the remark in a general sense) for his knowledge and experience in the work pertaining to his department, and he should, with the aid of the Engineer and assistants of the proper bureau, be able to carry out the work in the most substantial and economical manner. For these reasons I think that the interests of the city will be promoted by leaving it discretionary with the Commissioner as to which of the two systems (contract or days' work), and how much of either shall be employed, it being always understood that contract work shall be subject to inspection by fully qualified persons.

Very respectfully,

ALLAN CAMPBELL, Commissioner of Public Works.

Which was ordered to be printed in the minutes and published in the CITY RECORD.

The President laid before the Board the following communication from the Health Department:

HEALTH DEPARTMENT,  
NO. 301 MOTT STREET,  
NEW YORK, February 1, 1876.

Hon. SAMUEL A. LEWIS, President of the Board of Aldermen:

SIR—At a meeting of the Board of Health, held on the 1st of February, the following preamble and resolution were adopted:

Whereas, The Board of City Record did, on the 24th day of April, 1875, adopt the following resolution:



"Resolved, That by concurrent vote, under the power conferred upon this Board, the Health Department be and they are hereby authorized to have one thousand copies of their Annual Report for the year ending April 30, 1874, printed and bound in such manner and on such terms and conditions as shall reasonably insure the proper performance of the work, at the lowest cost, to be obtained in such manner as by advertisement for bids or otherwise, they may find practicable to be paid for out of the Appropriation for Printing and Stationery;" and

Whereas, In accordance with said resolution, the Report of the Board of Health for the year ending April 30, 1874, was duly printed by the parties making the lowest estimates, and at an expense as follows:

Appleton & Co., printing and binding.....	\$3,989 42
Endicott & Co., lithographing.....	615 50
The American Photo-lithographic Co., lithographing.....	148 00

Total..... \$4,752 92

And whereas, This Board is informed that the Supervisor of the City Record neglected to inform the Department of Public Works that such obligation had been authorized and incurred until after the Appropriation for Printing and Stationery had been exhausted, and that there is now no sufficient appropriation standing to the credit of the Department of Public Works from which the just and reasonable bills above named can be paid; therefore

Resolved, That the Board of Estimate and Apportionment be and is hereby respectfully requested to transfer from some unexpended appropriation of 1875, to the Appropriation for Printing and Stationery, a sum sufficient to pay the bills for printing the Annual Report of the Health Department for the year ending April 30, 1874, or to make such other provision for the payment of said bills as it may deem expedient.

(A true copy.)

Which was ordered on file.

EMMONS CLARK, Secretary.

#### COMMUNICATIONS.

The President laid before the Board the following communication from the Hon. Henry C. Murphy, President of the Brooklyn Bridge Company:

THE TRUSTEES OF THE NEW YORK AND BROOKLYN BRIDGE,  
OFFICE, NO. 21 WATER STREET,  
BROOKLYN, February 3, 1876.

Hon. SAMUEL LEWIS, President of the Board of Aldermen of the City of New York:

SIR—I have the honor to transmit herewith a communication, in compliance with the resolution of the Board of Aldermen of the 20th of January ultimo.

Yours, respectfully,

HENRY C. MURPHY, President.

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

I have the honor to acknowledge the receipt of your resolution of the 20th of January last, as follows:

"Resolved, That the President of the New York and Brooklyn Bridge Company be and he is hereby requested to report to this Board, at his earliest convenience, a statement showing, in detail, the names of the stockholders or subscribers to the stock of the New York Bridge Company, with the amount subscribed and paid by each, whether individuals or corporations, previous to or at the time of the passage of chapter 300, Laws of 1875; the amount paid or refunded to each stockholder, as provided in section 2 of chapter 601, Laws of 1874, re-enacted by chapter 300 of Laws of 1875; the original estimated cost of the bridge; the amount already expended by the original Bridge Company, and as at present constituted, to be given separately; the estimated amount now required to complete the work; when, if ever, the Common Council of this city accepted the provisions of section 3 of chapter 601, Laws of 1874; the amount, if any, refunded to this city, in its capacity as a stockholder, in the original Bridge Company, to the amount of \$1,500,000; and such other information, in connection with the enterprise, as he may deem of interest to the public, or of use to this Common Council, which is now called upon to authorize the issue of bonds of the City of New York to the amount of \$2,666,666.66, in addition to the vast sums already contributed to the undertaking, as it is desirable that all the information possible to obtain should be furnished, to guide this Common Council to an intelligent comprehension of all the facts and figures relating to the measure, and that may seem to justify the issue of the bonds of this city to the amount above named, in aid of the present Bridge Company, or the completion of the bridge under its present management."

The company to whose President this inquiry is addressed, is no longer in existence. It was dissolved by operation of the statutes referred to in the resolution, and, consequently, there is no such officer. But as the resolution has been delivered to me, the President of the Board of Trustees now in charge of the work, I presume it was so intended, and therefore give, in that capacity, the information desired.

#### As to the Stockholders of the Bridge Company.

The schedule hereto annexed, marked A, will, as far as practicable, exhibit the names of the stockholders of the New York Bridge Company, with the amount subscribed and paid by each, whether individuals or corporations, previous to or at the time of the passage of chapter 300 of the Laws of 1875, and also the amount refunded to each stockholder as provided in section 2 of chapter 601 of the Laws of 1874. In consequence of the transfers of stock made from time to time, two tables are given for this purpose, one showing the original subscribers, with the amount subscribed, and the other the stockholders at the time of the passage of the law of 1875, and the amount paid on account of the stock held by them at that time.

In this connection it may be stated, as requested, that no amount has been refunded to the City of New York in its capacity as a stockholder in the company.

#### The Original Estimate of the Cost of the Bridge.

The first estimate was made in 1867, by the late John A. Roebling, Esq., its designer and first engineer, for a structure 80 feet wide and 130 feet above high water, exclusive of the land, as follows:

Suspended superstructure.....	\$2,787,972 00
Anchorage, including excavation, plates, and chains.....	795,424 00
Foundation of Brooklyn tower.....	355,400 00
Foundation of New York tower—	
Pile foundation.....	\$399,097 00
Rock foundation.....	727,294 32
The latter was adopted.....	727,294 00
Two towers.....	1,409,820 00
Approaches.....	742,516 00
Engines and machinery.....	40,000 00
Toll-houses and gateways.....	20,000 00
Engineering.....	150,000 00
Contingencies.....	299,781 00

To the foregoing sums, amounting to \$7,328,207.32, was added eight per cent. for additional width to 85 feet, and height to 135 feet, as required for the latter, before commencing the bridge, by the Secretary of War, under the act of Congress of March 3, 1869.....

Total for structure..... \$7,914,457 00

A detailed estimate of the cost of the land was made, for the first time, under the direction of the executive committee of the Company, in 1873. For that purpose a map was prepared by the engineering department of all the lands not then taken, not only those necessary for the foundations to be built, and the approaches, but also those over which the bridge will pass, showing the property of each owner separately, together with the parts of such lots as extended outside of the lines of the bridge, and it would be for the interest of all parties to take.

An abstract was then taken of the valuations of these different pieces of land, from the books of the City Assessors of New York and Brooklyn, for the year 1873, and where only a part of a lot was taken a valuation was placed upon it, bearing the same ratio to the assessed valuation of the whole lot as the area of the part taken bore to the area of the whole. An estimate was then made of the actual value of each parcel, by taking twice and a half the assessed valuation of the land required in New York, and twice the assessed valuation of that in Brooklyn.

The following was the result:

For land in New York then yet to be taken.....	\$2,401,978 00
For land in Brooklyn.....	520,394 00

Making, in both cities..... \$2,922,372 00

There had been taken previously land not embraced in the foregoing amount costing..... 735,478 83

Making the total estimate of land required for the purpose of the bridge.. 3,657,850 83

Which sum added to \$7,914,437 for the structure, made the entire cost of the bridge, as first estimated, \$11,572,287.

#### The amount already expended.

There has been expended, up to the 1st of January, 1876, for land.....	\$1,056,976 61
For construction.....	4,897,933 02

In all..... \$5,954,909 63

Of which there was expended by the original Bridge Company, up to the 17th of February, 1875, when the company passed under the exclusive direction of the two cities by virtue of the act of June 5, 1874..... \$4,869,153 20

And by the said company as so constituted until the 9th of June, 1875, when the bridge became the property of the two cities..... \$519,492 86

Total by the Bridge Company..... \$5,388,646 06

By the trustees of the two cities, from June 9, 1875, to the 1st of January, 1876, exclusive of the liabilities of the Bridge Company, paid by the trustees and included in the above-mentioned expenditures of the company..... 566,263 57

Total expenditures January 1st, 1876, as before..... \$5,954,909 63

#### The Estimated amount now required to complete the Bridge.

This will appear by the following estimate just made by Col. W. A. Roebling, who succeeded his father as Chief Engineer upon the death of the latter, and has now the direction of the work:

Estimate January, 1876—

Amount required to complete Brooklyn tower.....	\$7,000 00
Masonry required to complete New York tower, 3,800 cubic yards, at \$36.....	136,800 00
Cost of completing Brooklyn anchorage.....	62,482 00
Cost of completing New York anchorage.....	248,240 00
Bars and castings for anchorages.....	4,856 00
Anchor chains and pins for Brooklyn anchorage.....	5,568 00
Anchor chains and pins for New York anchorage.....	32,136 00
Suspended superstructure, as per original estimate, including the eight per cent. for increased size.....	3,011,010 00
Approaches.....	742,516 00
Toll-houses and gateways.....	20,000 00
Engineering.....	140,000 00
Contingencies.....	100,000 00

Total required to complete bridge and approaches, independently of the land..... \$4,510,617 00

And for land yet to be taken according to the mode of estimating its cost before mentioned..... 2,706,413 00

Making in all, for land and structure complete..... \$7,217,030 00

Whole cost of the bridge as now estimated—

Amount already expended.....	\$5,954,910 00
Existing liabilities for materials delivered and charges as per Schedule "B".....	92,913 00
	\$6,047,823 00
Less cash and materials on hand.....	145,278 00

Whole amount expended..... 5,902,545 00

To be expended as above..... 7,217,030 00

Total..... \$13,119,575 00

From this amount a large deduction is to be made on account of land lying under the bridge. It has been deemed proper to take all such land outright, although it would be only partially damaged by the passage of the bridge over it, and its full value has therefore been included in the foregoing estimate. It lies between the river and the points in either city where the structure leaves a clear space of fifteen feet between its under side and the ground, and is all capable of more or less utilization. The cost of this land in the estimate is \$2,740,416. Should forty per cent. only of its cost be realized on a sale for the limited purposes to which its use should be restricted, there will be a deduction from the total estimated cost of \$1,096,166, leaving the net cost of the entire work \$12,023,409.

The act of 1875 provides, however, that the interest on the bonds for the \$8,000,000 to be issued by the two cities should be paid by the trustees out of the moneys to be received by them. The effect of this is that no payment of interest on their bonds will be made by the cities for three years; but the cost of the bridge will be enhanced \$1,067,500, being the amount of the interest so to be paid for them by the trustees.

The difference between the original estimates and those now made for the work complete and ready for use is \$1,441,722, or about 12½ per cent. on the whole cost as first estimated, and is entirely due to the actual increased cost of the work already done, or nearly done, owing partly to increased depth and size of the towers and anchorages and increased price of materials and labor used upon them. This increase will have been incurred on those different portions of the work in the following amounts:

Tower foundations.....	\$240,005 56
Tower masonry.....	681,605 30
Anchorages.....	380,652 98
	\$1,302,263 84

To which is to be added for increased expenses of engineering and machinery..... \$234,870 94

And for office, salaries, and expenses, superintendence and general administration of the work, for six years and upwards, not included in the estimate..... 189,351 22

Making in all..... 424,222 16

And from this amount is to be deducted a reduction on the other items of the estimate of..... 284,764 76

Making the net increase, as stated above..... \$1,441,721 24

The increased cost of the foundations of the towers was owing: 1. To the rocky nature of the excavation on the Brooklyn side, by which it was increased from \$1 to \$6.40 per yard. 2. The necessity of providing against fire in the caissons, the danger of which from compressed air was unknown; and 3. The high price of labor in the caissons being \$2.75 for four hours' work, causing an increase cost on that account alone of over \$100,000.

The masonry in the towers was actually increased 12,693 yards beyond the original estimate, by reason of greater depth and width of the New York tower, independently of the allowance of eight per cent. for increased height, making, at \$25.88 per yard, \$328,488.50. The actual cost of the residue being 72,360 yards at the same rate per yard, was \$4.88 per yard more than the original estimate, or, in the aggregate, \$353,116.80, the two items amounting to \$681,605.30.

The cost of the anchorages was enhanced by an increased size of both, judged proper by the present engineer, and the greater depth of the New York foundation, owing to the marshy character of the substratum which had to be removed, and by a change in the plan of the anchor-plates and chains.

These explanatory details are given in order to show that the increase has been owing to increased solidity and strength given to the substructure, and the novelty of the foundations, which are twenty times larger than any pneumatic foundations ever put down before, and consequently without any experience as to the danger to men working in compressed air to a depth of seventy-eight feet below the surface of the river, or to the greater liability to combustion in the caissons from the same circumstance.

#### Moneys received up to January 1, 1876.

From the City of Brooklyn.....	\$3,965,000 00
From the City of New York.....	1,500,000 00
From private stockholders of the company.....	349,800 00
For interest on deposits, rents, wharfage, material sold, etc.....	146,645 00
	\$5,961,445 00

The acceptance of the provisions of the Act of 1874, and the reorganization of the Bridge Company.

By the law of June 5, 1874, it is enacted that when either of the Cities of New York and Brooklyn should, by vote of its Common Council, accept the provisions of the third section of that act authorizing the issue of bonds of the cities to the amount of \$3,000,000, and the payment thereof to the Bridge Company, and the owners of two-thirds of the private stock of the company should accept the provisions of the second section of the act, authorizing the purchase of the rights of any



private stockholder in the company, by a Board of Directors to be appointed on behalf of the two cities, the Board of Directors of the company should consist of twenty members, to be composed of the Mayors and Comptrollers of the two cities, by virtue of their offices and eight persons to be appointed by the Mayor and comptroller of New York, with a like number to be appointed by the Mayor and Comptroller of Brooklyn. The Common Council of New York never voted to accept those provisions; but the Common Council of Brooklyn did vote to accept them on the 20th of August, 1874, and on the 28th day of September, 1874, the owners of two-thirds of the private stock of the company accepted the provisions of the second section of the act by an instrument in writing duly recorded in the offices of the Registers of the City and County of New York and of the County of Kings, respectively. By which action the provisions for the appointment of a new Board of Directors of the company became operative, and the following persons were appointed such directors by the Mayor and Comptroller of the City of New York, viz.:

James M. McLean,	John Riley,
Lloyd Aspinwall,	Charles J. Canda,
Francis B. Thurber,	James M. Motley,
Abram S. Hewitt,	Lawrence Turnure.

And by the Mayor and Comptroller of the City of Brooklyn, viz.:

Henry C. Murphy,	David M. Stone,
Thomas Carroll,	William C. Kingsley,
James S. T. Stranahan,	William Marshall,
George L. Nichols,	Samuel Booth;

—all of whom entered upon their duties on the seventeenth of February, 1875.

*Extinguishment of the rights of the private stockholders, dissolution of the Bridge Company, and the bridge made a public work of the two cities, to be administered by a Board of Trustees.*

The new Board of Directors, in pursuance of the powers conferred upon them by the act of 1874, purchased, on the 24th day of May, 1875, the rights of all the private stockholders, on the basis prescribed by the act, and as shown in the accompanying Schedule A, giving them the obligations of the company, payable on the 24th of November last, which obligations are still outstanding, whereupon the private stockholders were entirely retired from the company.

By the act of May 14, 1875, chapter 300 of the Laws of that year, upon the retirement of the private stockholders, the Bridge Company was dissolved, and all its property and effects became vested in the two cities, and the bridge was declared by such dissolution to be a public work to be constructed by the two cities, two-thirds of the expense thereof and of all the liabilities of the company to be borne by the City of Brooklyn, and one-third by the City of New York. And it was further provided by the act that a Board of Trustees should be appointed, consisting, in connection with the Mayors and Comptrollers of the two cities, by virtue of their offices, of eight persons, appointed by the Mayor, Comptroller, and President of the Board of Aldermen of the City of New York, and a like number by the Mayor, Comptroller, and City Auditor of the City of Brooklyn, for the purpose of managing and constructing the bridge, with the obligation of paying all the debts and liabilities of the company. The following persons were accordingly appointed Trustees by the authorities of New York, viz.:

James M. McLean,	John Riley,
Lloyd Aspinwall,	Charles J. Canda,
Francis B. Thurber,	James M. Motley,
Abram S. Hewitt,	Lawrence Turnure.

And the following by the authorities of Brooklyn:

Henry C. Murphy,	William Marshall,
Thomas Carroll,	Henry W. Slocum,
James S. T. Stranahan,	Isaac Van Anden,
William C. Kingsley,	William B. Leonard.

All of whom accepted the appointment and entered upon its duties on the 9th of June, 1875. Since then Charles J. Canda, appointed one of the Commissioners of Rapid Transit in New York, has resigned, and his place has been filled by Jenkins Van Schaick, Esq., and the place of Isaac Van Anden, Esq., from Brooklyn, has become vacant by his death and is not yet filled.

*The proceedings of the Trustees and their outstanding liabilities.*

The Trustees, thus charged as a special public authority with the construction of the bridge and payment of the debts and liabilities of the company, were empowered by the act of 1875, before mentioned, to call from time to time upon the two cities, by request made to the Mayor and Comptroller thereof respectively, for such sums as they should deem proper in the proportions above mentioned "not exceeding in all eight millions of dollars, and not exceeding one million of dollars in any one year from the City of New York, and two millions of dollars in any one year from the City of Brooklyn, until the bridge should be completed and open for public travel, and the debts and liabilities incurred therefor should be fully paid," to meet which the two cities were respectively authorized and required to issue bonds and pay the proceeds to the Trustees.

In accordance with their duties and powers, the Trustees, on the 9th of June, 1875, called upon the two cities, as required by the act, for an installment of one million five hundred thousand dollars, one million thereof from the City of Brooklyn, and five hundred thousand from the City of New York, part of their respective quotas of the eight millions authorized by the act, and they proceeded with every diligence in the construction of the bridge; but although the City of Brooklyn promptly complied with the requisition, the City of New York as yet has not done so; and, in consequence, the Trustees have forborne to make any further call and have been unable to discharge their obligation. In order to a correct understanding of the nature and extent of the outstanding liabilities of the Trustees, including all those to arise under contracts in course of fulfillment, a list is hereunto annexed, marked B.

In conclusion, I may add that if the means be promptly furnished, the bridge can be entirely finished and open for public travel and begin to be remunerative in the summer or fall of 1879. True economy in the prosecution of the work is to push it forward with all the speed that a due regard to its proper construction will permit. Money as well as land and materials are now cheap, and will combine to reduce its cost below the estimate; while, on the other hand, delay will add to the cost by the accumulation of interest on the amount already expended in proportion to its extent. And I may be allowed further to say that this work is not, as sometimes urged, one of a purely sectional character. It will open a new thoroughfare for half a million of people to the centre of business and intelligence in this great metropolis of the nation, where it is already fixed by the erection of public buildings, both national and municipal, and by great edifices devoted by private enterprise to financial, telegraphic, and journalistic purposes. It will practically unite the two cities, and contribute to the convenience, comfort, and safety of that portion of the community which will use it in their daily avocations, and will constitute a worthy monument of the foresight as well as the greatness of New York. If made perfectly free for travel, it will yet be self-sustaining and without expense in the future for its maintenance, by the receipts of the railway, which will carry over it, for a trifling charge, such as may be disposed to avail themselves of it, while the entire cost to the City of New York will not in any possible contingency, including all the "vast sums" already contributed, amount to five millions of dollars.

Respectfully submitted,

HENRY C. MURPHY.

February 13, 1876.

A.

1. List of original subscribers to the capital stock of the New York Bridge Company.

NAMES.	
Henry C. Murphy.....	100 shares.
Isaac Van Anden.....	200 "
William Marshall.....	50 "
Seymour L. Husted.....	200 "
Samuel McLean.....	50 "
Arthur W. Benson.....	20 "
Martin Kalbfleisch.....	200 "
Alexander McCue.....	100 "
William M. Tweed.....	560 "
Peter B. Sweeney.....	560 "
Hugh Smith.....	560 "
Henry W. Slocum.....	500 "
James S. T. Stranahan.....	100 "
Genville T. Jenks.....	50 "
Kingsley & Keeney.....	1,600 "
John H. Prentice.....	50 "
William Hunter, Jr.....	50 "
John W. Lewis.....	50 "
The City of New York.....	15,000 "
The City of Brooklyn.....	30,000 "
	50,000 shares.

2. Stockholders of the New York Bridge Company on the 14th of May, 1875, with the number of Shares held by each, and the amount paid thereon, together with the amount refunded to the private Stockholders on the 24th of May, 1875, on the purchase of their rights, being principal and interest on the amount paid by them, pursuant to the provisions of the second section of chapter 601 of the Laws of 1874:

INDIVIDUALS.	No. of Shares.	Amount Paid thereon.	Amount Refunded.
Henry G. Murphy.....	240	\$19,200 00	* \$25,665 74
Isaac Van Anden.....	250	20,000 00	25,649 82
William Marshall.....	50	4,500 00	5,727 96
Samuel McLean.....	50	2,000 00	2,715 54
Arthur W. Benson.....	20	1,800 00	2,283 13
Alexander McCue.....	250	20,000 00	25,562 72
Peter B. Sweeney.....	210	8,400 00	11,366 09
Hugh Smith.....	315	25,200 00	30,764 53
Henry W. Slocum.....	250	20,000 00	25,396 75
James S. T. Stranahan.....	400	30,200 00	† 51,241 42
Kingsley & Keeney.....	1,210	88,400 00	112,799 92
John H. Prentice.....	50	4,500 00	5,687 24
William Hunter, Jr.....	50	4,000 00	4,962 44
Demas Barnes.....	100	9,000 00	11,348 64
William C. Kingsley.....	525	25,200 00	32,866 98
Seymour L. Husted.....	500	40,000 00	51,217 26
Daniel A. Bostwick.....	210	8,400 00	11,306 09
S. Foster Dewey.....	210	8,400 00	11,306 09
William H. Van derbilt.....	10	800 00	.....
Abram S. Hewitt.....	10	800 00	.....
	5,000	\$349,800 00	\$447,808 36
CORPORATIONS.			
The City of Brooklyn.....	30,000	3,000,000 00	
The City of New York.....	15,000	1,500,000 00	
	50,000	\$4,849,800 00	

\* Includes the amount refunded on 10 shares of William H. Van derbilt, assigned to Henry C. Murphy subsequent to the 14th of May, 1875, the date of the passage of the Law of 1875.

† Includes the amount refunded on 10 shares of Abram S. Hewitt, assigned to J. S. T. Stranahan subsequent to the 14th of May, 1875.

B.

Liabilities, January 1, 1876.

For material and work—

Collins' Granite Co., retained on contract.....	\$4,564 96
Noone & Madden, retained on contract.....	13,304 10
Beattie & Dresser, retained on contract.....	2,422 45
Keystone Bridge Co., retained on contract.....	2,383 37
Beattie & Dresser, for stone delivered.....	704 31
Bodwell Granite Co., for stone delivered.....	25,121 07
Lake Champlain Blue Stone Co., for stone delivered.....	1,412 87
Divine Burtis, Jr., for stone delivered.....	2,369 59
Alexander McCue, bill not yet audited.....	969 69
Edgar M. Cullen, bill not yet audited.....	9,527 82
Collins' Granite Co., certificate of indebtedness.....	18,514 98
Keystone Bridge Co., certificate of indebtedness.....	5,610 23
Rents to January 1, two months.....	1,383 33
Salaries and bills due January 1.....	3,084 25
Balance due on salaries to January 1.....	1,539 98
	\$92,913 30

To private stockholders—

Certificates of indebtedness as per Schedule A. and interest to January 1, 1876.....	466,703 38
Materials to be delivered after January 1, 1876, on outstanding contracts—	
Collins' Granite Company, stone.....	\$76,235 84
Noone & Madden, stone.....	64,104 78
Beattie & Dresser, stone.....	3,674 30
Joseph Brennan, stone.....	8,575 20
Keystone Bridge Co., iron.....	36,936 25
South Brooklyn Saw Mill Co., lumber.....	600 48
A. W. Shadbolt & Son, Cart.....	130 00
	190,256 85
	\$749,873 53

Which was ordered to be printed and published in the CITY RECORD.

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, February 1, 1876.

To the Honorable the Common Council:

GENTLEMEN—I herewith transmit for your consideration a communication from the Counsel to the Corporation, covering a draft of a proposed ordinance, and I invite your prompt attention to it.

W. H. WICKHAM, Mayor.

AN ORDINANCE to amend section 21 of article 2 of chapter 7 of the Revised Ordinances.

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

Section 21 of article 2 of chapter 7 of the Revised Ordinances is hereby amended so as to read as follows:

§ 21. The consent mentioned in the last section shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of the contract, and stated in the proposals, as prescribed by section 17 of this chapter, over and above all his debts of every nature, and over and above his liabilities as bail, surety, or otherwise, and that he has offered himself as a surety, in good faith, and with an intention to execute the bond required by section 27 of this chapter, if the contract shall be awarded to the person or persons for whom he consents to become surety.

LAW DEPARTMENT,  
OFFICE OF THE COUNSEL TO THE CORPORATION,  
NEW YORK, January 31, 1876.

The Hon. WILLIAM H. WICKHAM, Mayor:

SIR—It seems to me very desirable that section 21 of article 2 of chapter 7 of the Revised Ordinances should be slightly amended, and I therefore respectfully call your attention to the matter.

As you are aware, said article 2 contains very elaborate and full provisions with reference to the letting of contracts, for supplies to be furnished and work to be done for the city. Section 17 of said article prescribes what particulars the advertisements issued by the various Departments shall contain. Section 18 enumerates certain facts which must be stated in the bids made in response to such advertisements. Section 20 provides that all bids shall be accompanied by the consent, in writing, of two householders or freeholders in the City of New York, to the effect that if the contract be awarded to the person making the bid, they will, upon its being so awarded, become bound as sureties for its faithful performance. Section 21 provides, in substance, that the consent mentioned in said section 20, shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, "to be taken before any Judge of any Court of Record in this county," that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of the contract; and section 22 declares that the head of the Department opening the bids shall reject all bids not furnished in conformity with chapter 7 of the ordinances.

I do not know why the framers of the ordinances required sureties upon a contract to take the affidavit required by said section 21, but did not permit the affidavit to be taken before any officer, except a Judge of a Court of Record.

If any reason existed, at the time of the adoption of this ordinance, for the insertion of such a provision, there certainly is not, in my opinion, any reason why it should be longer continued in force, and there are several very cogent reasons why it should be repealed.

It has happened in several cases since my accession to office that the sureties of persons bidding for contracts with the city, either through ignorance of the existence of the provision in question or inadvertently, have taken the affidavit in question before a Notary Public. My advice had been asked by the heads of departments in several instances where bids of this character have been received, and



I have been constrained to advise them that under the above-cited provisions of the ordinance it was their duty to reject all such bids for irregularity, even though they might be the lowest bids received. I have given such advice with great reluctance, because in such cases there was a direct loss to the city treasury; but as the ordinances expressly declare that all the irregular bids must be rejected, I could not advise otherwise.

I presume that the fact that this provision causes loss to the city treasury would be regarded by the Common Council as a sufficient reason for repealing it; but I may also add that, in the opinion of some of the heads of Departments as well as my own, the existence of this provision tends to prevent responsible and reputable persons from bidding for contracts with the city.

It is usually necessary for the sureties to visit the City Hall for the purpose of finding a Judge of a Court of Record, and the loss of time thereby occasioned is such a serious inconvenience to merchants and business men, that many are very reluctant to become sureties on contracts with the city. I am credibly informed that persons who would otherwise bid for such contracts are thus deterred from bidding, on account of the difficulty which they experience in procuring responsible sureties.

I cannot imagine any reason why the provision in question should not be repealed. Affidavits in all legal proceedings, and in nearly all cases in which affidavits are required in connection with business transactions, may now be taken in this State before a Notary Public or a Commissioner of Deeds, and I see no reason why the affidavit of sureties upon contracts should not be taken before the same officers. I may also observe, that (though the judges do not complain) there is no good reason why the taking of the affidavits of sureties upon contracts should be added to their other multifarious duties.

The desired object can be accomplished by simply re-enacting said section 21, omitting therefrom the words, "to be taken before any Judge of any Court of Record in this county." The section being re-enacted, with these words omitted, the general provisions of law applicable to the taking of affidavits in this State will apply, and the affidavit in question can be then taken before either a Notary Public or a Commissioner of Deeds, or any other officer authorized by the laws of this State to take affidavits.

I inclose herewith an ordinance amending said section in the manner indicated, which, if you concur in the views above expressed, I would respectfully request you to submit to the Common Council, with a recommendation that it be adopted.

I am, sir, yours, very respectfully,

WM. C. WHITNEY, Counsel to the Corporation.

Which was referred to the Committee on Law Department.

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

EXECUTIVE DEPARTMENT, CITY HALL, }  
NEW YORK, February 1, 1876. }

To the Honorable the Common Council:

GENTLEMEN—I herewith return, without my signature or approval, General Order 21.

I am informed by the Commissioner of Public Works that the hydrant is now in the best possible place for use, and that he has not been able to ascertain any reason for removing it.

WM. H. WICKHAM, Mayor.

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

#### UNFINISHED BUSINESS.

Alderman McCarthy called up G. O. 16, being a resolution, as follows:  
Resolved, That gas-mains be laid, lamp-posts erected, and lamps lighted in One Hundred and Fourth street, between Second and Fourth avenues, under the direction of the Commissioner of Public Works.

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

Which was decided in the affirmative by the following vote (three-fourths of all the members elected voting in favor thereof):

Affirmative—The President, Aldermen Billings, Cole, Cudlipp, Gross, Guntzer, Hess, Lysaght, McCarthy, Morris, Pinckney, J. Reilly, B. Reilly, Sauer, Seery, Sheils, Tuomey, and Wade—18.

Alderman McCarthy called up G. O. 22, being a resolution, as follows:  
Resolved, That gas-mains be laid, lamp-posts erected, and lamps lighted in One Hundred and Sixth street, between the Third and Fifth avenues, under the direction of the Commissioner of Public Works.

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

Which was decided in the affirmative by the following vote (three-fourths of all the members elected voting in favor thereof):

Affirmative—The President, Aldermen Billings, Cole, Cudlipp, Gross, Guntzer, Hess, Lysaght, McCarthy, Morris, Pinckney, Purroy, J. Reilly, B. Reilly, Sauer, Seery, Sheils, Tuomey, and Wade—19.

Alderman Sauer called up G. O. 36, being a resolution, as follows:

Resolved, That the Commissioner of Public Works be and he is hereby authorized and directed to remove the arm-racks now in the armory of the late Fifty-fifth Regiment to the armory of the Eleventh Regiment, for use by said Eleventh Regiment, the expense to be charged to the appropriation "Supplies for and Cleaning Public Offices."

Alderman Sauer moved to amend by striking out the words "Fifty-fifth," and insert in lieu thereof the words "Ninety-sixth."

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

Which was decided in the affirmative.

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

Which was decided in the affirmative by the following vote (three-fourths of all the members elected voting in favor thereof):

Affirmative—The President, Aldermen Billings, Cole, Cudlipp, Gross, Hess, Lysaght, McCarthy, Morris, Pinckney, Purroy, J. Reilly, B. Reilly, Sauer, Seery, Sheils, Tuomey, and Wade—18.

Alderman Sauer called up G. O. 37, being a preamble and resolution, as follows:

Whereas, By the Laws of the State of New York, viz., chapter 251 of the Laws of 1875, the Boards of Supervisors of the several counties in this State, and the Board of Supervisors of the County of New York, as now constituted, are authorized and empowered to contract with the Sheriff of their several counties, or the Jailor of the common jail therein, for the support and maintenance of such persons as may be confined in such jail upon any writ or process in any civil action or proceeding in the nature of a civil action, such support and maintenance being by said law declared to be a legal county charge, if such person or persons, so held in custody, shall make oath that they are unable to support themselves during their imprisonment; therefore be it

Resolved, That the Board of Aldermen of the City of New York, being the Board of Supervisors of the County of New York, as now constituted, do hereby allow and fix the compensation of the Sheriff of the County of New York, for the support and maintenance of the person or persons mentioned in the first section of said act, at the sum of seventy-five cents per day for each person, during the time such person or persons shall be actually confined in such jail, such compensation to be in full for such support and maintenance, except for furnishing the light, fuel, repairs to building and fixtures, rent of building, and the whitewashing of the interior of the building; and such Sheriff shall be allowed, in addition to the per diem allowance for each person as aforesaid, such sums of money as may be required to expend for light, fuel, or whitewashing for said jail, and shall attach to his bills for such support and maintenance vouchers for each and every of such sums of money so expended by him; and be it further

Resolved, That the allowance herein mentioned shall be applicable to all bills of such Sheriff for such support and maintenance, since the 1st day of July, 1875, that now remain unpaid, and the acceptance in writing of the allowance herein contained by the said Sheriff, within thirty days after the passage hereof, shall be deemed to be a contract as required by said act, or, if not so accepted, then these resolutions shall be void.

Alderman Seery moved that the consideration of the subject be postponed.

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

Which was decided in the negative.

Alderman J. Reilly moved that the above vote be reconsidered.

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

Which was decided in the negative by the following vote, on a division called by Alderman J. Reilly:

Affirmative—The President, Aldermen Gross, Guntzer, Purroy, J. Reilly, B. Reilly, Sauer, and Sheils—8.

Negative—Aldermen Billings, Cole, Cudlipp, Hess, Lysaght, McCarthy, Morris, Pinckney, Sauer, Tuomey, and Wade—11.

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

And decided it lost by the following vote (three-fourths of all the members elected not voting in favor thereof):

Affirmative—The President, Aldermen Billings, Cole, Cudlipp, Gross, Guntzer, Hess, Lysaght, McCarthy, Morris, Pinckney, Sauer, Sheils, Tuomey, and Wade—15.

Negative—Aldermen Purroy, J. Reilly, B. Reilly, and Seery—4.

Alderman J. Reilly asked to be excused from voting, but the Board refused to grant his request.

Alderman Pinckney moved a reconsideration of the vote taken on the adoption of the preamble and resolution.

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

Which was decided in the affirmative.

Alderman J. Reilly moved that the paper be referred to the Counsel to the Corporation, with the request that he report to this Board the number of votes required legally to pass the preamble and resolution.

The President put the question whether the Board would agree with said motion. Which was decided in the affirmative.

#### MOTIONS AND RESOLUTIONS RESUMED.

Alderman Morris moved that the Board do now adjourn.

The President put the question whether the Board would agree with said motion. Which was decided in the affirmative.

And the President announced that the Board stood adjourned until Thursday next, the 10th inst., at 2 o'clock P. M.

FRANCIS J. TWOMEY, Clerk.

## LAW DEPARTMENT.

### OPINION OF THE COUNSEL TO THE CORPORATION.

LAW DEPARTMENT,  
OFFICE OF THE COUNSEL TO THE CORPORATION,  
NEW YORK, December 17, 1875.

Hon. ANDREW H. GREEN, Comptroller:

SIR—In a letter received by me sometime since, you requested my opinion as to the manner in which moneys raised by taxation for the purposes of the Board of Education were to be paid out of the City Treasury. You stated that, in accordance with the provisions of section 33 of the Charter of 1870, and section 29 of the Charter of 1873, the Department of Finance had adopted a uniform system of payment of the creditors of the City of New York, such payments being made upon bills of the creditors certified by the Department incurring the expenditure, and accompanied by a requisition for payment from such Department; and that such bills, when audited and allowed in the Finance Department, were paid by the proper disbursing officer of that Department.

You also stated that the Board of Education objected to having its bills paid by the Department of Finance, and had made requisition for the deposit in the Treasury of a sum in gross, out of which such Board might pay bills through its own officers, claiming that the Board of Education was not a Department of the City Government, and, consequently, not within the provisions of the Charter of 1873. You also remarked, that if the Board of Education was to be paid in a different manner from the other branches of the City Government, all harmony of action in the city finances would be destroyed and great confusion produced in the system of payment which had been established, after much care and with fixed deliberation, and you requested my opinion whether the bills of the Board of Education could be legally paid in any other manner than according to the system adopted by the Finance Department.

Soon after the receipt of your letter, I received a communication from Albert P. Man, Esq., a member of the Board of Education, which communication was written, as stated by Mr. Man, at the request of the president of that Board. In this communication Mr. Man so claimed that under existing laws the Board had an unquestionable right to have the moneys raised by taxation for its use placed in gross to its credit, to be drawn out by its own officers. The letter of Mr. Man, as well as your own, was written for the purpose of obtaining my official opinion in relation to this matter.

The question thus submitted for my consideration by the Finance Department and the Board of Education is one of importance. The money raised for the purposes of the Board of Education during the year 1875 in the city of New York was \$3,583,000, and it is not only desirable, as suggested in your letter, that there should be a uniformity in the system of paying public creditors, but it is also of the highest importance that this large sum of money should be disbursed under proper checks and safeguards and in the manner prescribed by law. In one of the provisions of the Charter of 1873 in reference to the payment of public creditors, and in reference to the Board of Education, and also in view of the decision of the General Term of the Supreme Court in the case of *The People, ex rel. Kedian vs. Neilson* and others, I was, at the time of the receipt of the letters of yourself and Mr. Man, somewhat in doubt as to the true interpretation of the law in relation to this matter, and my answer was therefore postponed, in the hope that further decisions of the Courts might aid me in coming to a correct conclusion. The views of the General Term of the Supreme Court in the case of *Kedian* having been recently approved and reaffirmed by the General Term of the Supreme Court in the case of *Dannat vs. The Mayor*, it is now proper that I should advise you of the conclusions arrived at by the learned judges who considered these two cases, and of the effect of the decisions therein rendered upon the questions submitted to me by yourself and the Board of Education.

Prior to the year 1871, the Board of Education was not a department of the City Government. Many statutes have, from time to time, been passed by the Legislature of this State, in relation to the management of common schools in this city, such statutes dating back to the latter part of the last century. In the year 1851 an act was passed by the Legislature which repealed previous laws, and that act, as amended from time to time, established a system for the management of the common schools of this city which prevailed without interruption for many years. The officers to whom such management was thus entrusted were Commissioners, who constituted the Board of Education, Trustees and Inspectors, and such Board of Education, Trustees and Inspectors had the entire care, control and management of all matters relating to common schools in this city; no officer or department of the city or county governments having authority to interfere in the matter. The Board of Education was declared, for the purposes of the act, to possess the powers and privileges of a corporation, and was authorized to take and hold property, both real and personal, devised or transferred to it for the purposes of education in the city of New York, and the trustees were also authorized to hold as a corporation all personal property vested in or transferred to them for school purposes in their respective wards. The Board of Education and Trustees were authorized to purchase lands for sites for new school-houses, and to erect buildings thereon; and to appoint and remove teachers, to establish new schools, prescribe the course of studies in all the schools, and generally to exercise full supervision and management of the same. The Board of Education and the Trustees has also executive power to purchase all supplies of every description required for the schools. The Board of Education was required annually to estimate the amount of money necessary to be raised by taxation and report the same to the Board of Supervisors, who were thereupon required to raise such amount by taxation. The moneys so raised, as well as moneys apportioned to the county of New York, and certain sums which the Board of Education were expressly required by statute to include in their estimate, were to be deposited in the city treasury. The moneys apportioned to any school other than ward schools were to be paid to the trustees, managers or directors of such schools respectively by drafts on the city Chamberlain to be signed by the President and Clerk of the Board. Other moneys were to be paid by the Chamberlain of the city upon drafts drawn on him by the Board of Education, signed by the President, countersigned by the Clerk of the Board, and by the Commissioners, or one of them, of the ward for which the money was to be paid, except such sums as should be drawn for purposes other than the expenses of the ward schools, which were to be paid by the said Chamberlain upon drafts drawn on him by the said Board, signed by the President and Clerk, and countersigned by the Chairman of the Finance Committee of the said Board.

Under the system so established the only duty of the Supervisors was to raise the money required for the support of the schools, and of the Chamberlain to safely keep the same and pay it out upon drafts drawn as above described. All bills for supplies or materials, or work done, or salaries of teachers, or other expenses, were to be audited by the proper committees, and thereupon to be paid by the Chamberlain on drafts drawn as above stated without any action on the part either of the Auditor or the Comptroller in the Finance Department.

The system so established continued for many years, and until the passage of the act of April 18, 1871. The seventh section of this act, amending the 100th section of the Charter of 1870, created what was called the Department of Public Instruction. It is to be noticed, however, that all the powers previously possessed by school officers under previous laws were vested in this Department, the principal changes effected being in the manner of their appointment and the terms for which they were to serve. The Department of Public Instruction so created continued in existence until the passage of the act of March 21, 1873, which abolished the Department of Public Instruction and provided for the appointment of Commissioners, Trustees and Inspectors, who were to possess all the powers and perform all the duties which had been devolved upon school officers in this city, under the laws in force previous to the establishment of said Department of Public Instruction. No further material change in the law was made previous to the passage of the Charter of 1873, and when that Charter, therefore, became a law, the old system for the government of common schools in this city which had prevailed for so many years was in full operation, and the question now presented is: What effect, if any, did the provisions of the Charter of 1873, have upon that system?

The Charter of 1873 contains but two references to the Board of Education. Section 8 of chapter 757 of the Laws of 1873, being an amendment of section 59 of the Charter, contains the following provision: "Wages and Salaries, including payments for the Board of Education, may be made upon pay-rolls upon which each person's name therein shall separately receipt for the amount paid to such person; and in every case of payment on a pay-roll the warrant for the aggregate amount of wages and salaries included therein may be made payable to the Superintendent, principal teacher, foreman or other officer designated for the purpose." In section 112 it is also provided that the Board of Estimate and Apportionment thereby created, in making the annual estimate of the amounts required to pay the expenses of conducting the public business of the city and county of New York, shall in such estimate make provision not only for each department and branch of the city and county government but also for the Board of Education. The Board of Education is also required, as well as the heads of departments, to send to the Board of Apportionment an estimate in writing of the amount of expenditure for the purposes of the Board, which will be required for the ensuing year.

The Charter of 1873 also establishes a general system for the safe-keeping of the public moneys and for the payment of public creditors. That system is, that all moneys raised shall be deposited in banks or trust companies, to be selected by the Mayor, Chamberlain, and Comptroller, and shall be







HEADQUARTERS  
FIRE DEPARTMENT, CITY OF NEW YORK,  
155 and 157 MERCER STREET,  
NEW YORK, January 25, 1876.

filed in the office of the Register of the City and County of New York, on the twenty-seventh day of May, 1869.



In its extent, said improvement will embrace all the lands and premises, with the buildings thereon and appurtenances thereto belonging, situate, lying, and being in that part of the City of New York, hereinafter mentioned and more particularly located and described as follows, that is to say: Beginning at a point on the northerly line of One Hundred and Fifty-fifth street, distant from the easterly line of Tenth avenue seven hundred and twenty-eight hundredths feet; thence northerly, northeasterly, and northerly to a point on the easterly line of Tenth avenue, and distant four thousand four hundred and eighty-seven and eighty-nine hundredths feet from the southerly line of said One Hundred and Fifty-fifth street; thence along said easterly line of said Tenth avenue eight hundred and eighty-eight and seventy-nine hundredths feet; thence easterly, northeasterly and northwesterly to the southerly line of the street known as Dyckman street, and eleven thousand four hundred and seven and three hundredths feet distant from the southerly line of said One Hundred and Fifty-fifth street; thence along said southerly line of said Dyckman street one hundred and seventy-two and eight hundredths feet to a point on the easterly line of the Tenth avenue; thence southerly, southeasterly and southwesterly to a point on the northerly line of One Hundred and Fifty-fifth street; thence westerly on said northerly line of One Hundred and Fifty-fifth street one hundred and fourteen and seventy hundredths feet to the point or place of beginning.

New York, January 31, 1876.

WILLIAM C. WHITNEY,  
Counsel to the Corporation,  
No. 2 Tryon Row.

In the matter of the application of the Department of Public Works, for and in behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to acquiring title, for two public places or parks on the East river, to certain lands bounded by Eighty-fourth street, Eighty-sixth street, Avenue B, and the East river; and also to that portion of Avenue B lying between the northerly line of Seventy-ninth street and the northerly line of Eighty-third street, in the City of New York.

**WE, THE UNDERSIGNED COMMISSIONERS** of Estimate and Assessment in the above-entitled matter, hereby give notice to the owner or owners, occupant or occupants, of all houses and lots, and improved or unimproved lands affected thereby, and to all others whom it may concern, to wit:

First.—That we have completed our estimate and assessment, and that all persons interested in these proceedings, or in any of the lands affected thereby, and who may be opposed to the same, do present their objections in writing, duly verified, to the Commissioners, at our office, No. 57 Broadway (Room No. 24), in the said city, on or before the 19th day of February, 1876, and that we, the said Commissioners, will hear parties so objecting within the ten week-days next after the said 19th day of February, and for that purpose will be in attendance at our said office on each of said ten days, at 3 o'clock P. M.

Second.—That the abstract of the said estimate and assessment, together with our maps and also all the affidavits, estimates, and other documents which were used by us in making our report, have been deposited in the office of the Department of Public Works, in the City of New York, there to remain until the 28th day of February, 1876.

Third.—That the limits embraced by the assessment aforesaid are as follows, to wit: All those lots, pieces or parcels of land, situate, lying and being in the City of New York, bounded by, included and contained within the following limits, that is to say: Beginning at the point of intersection of the centre line of Eighty-ninth street, with the Harbor Commissioners' exterior line on the East river, and running thence southerly along said exterior line to a point distant one hundred and two feet two inches south of the southerly line of Seventy-second street; thence westerly on a line parallel to Seventy-second street to the centre line of Third avenue; thence northerly along the centre line of Third avenue to a point distant one hundred feet and eleven inches north of the northerly line of Ninety-sixth street; thence easterly on a line parallel to Ninety-sixth street to the Harbor Commissioners' exterior line on the Harlem river; thence southerly along said exterior line to the point or place of beginning.

Fourth.—That our report herein will be presented to the Supreme Court of the State of New York, at a Special Term thereof, to be held in the New Court-house, at the City Hall, in the City of New York, on the 23d day of March, 1876, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, January 12, 1876.

F. R. COUDERT,  
GEO. H. SWORDS,  
EDWARD C. SHEEHY,  
Commissioners.

In the matter of the application of the Department of Public Works, for and in behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to the opening of One Hundred and Tenth street, from Second avenue to the Harlem river, in the City of New York.

**WE, THE UNDERSIGNED COMMISSIONERS** of Estimate and Assessment in the above-entitled matter, hereby give notice to the owner or owners, occupant or occupants, of all houses and lots and improved or unimproved lands affected thereby, and to all others whom it may concern, to wit:

First.—That we have completed our estimate and assessment, and that all persons interested in these proceedings, or in any of the lands affected thereby, and who may be opposed to the same, do present their objections in writing, duly verified, to the Commissioners, at our office, No. 57 Broadway (Room No. 24), in the said city, on or before the 7th day of February, 1876; and that we, the said Commissioners, will hear parties so objecting within the ten week-days next after the said 7th day of February, and for that purpose will be in attendance at our said office on each of said ten days, at two o'clock P. M.

Second.—That the abstract of the said estimate and assessment, together with our maps, and also all the affidavits, estimates, and other documents which were used by us in making our report, have been deposited in the office of the Department of Public Works in the City of New York, there to remain until the 17th day of February, 1876.

Third.—That the limits embraced by the assessment aforesaid are as follows, to wit: All those lots, pieces, or parcels of land, situate, lying, and being in the City of New York, bounded by, included and contained within the following limits, that is to say:

Beginning at a point on the easterly line of Second avenue, distant one hundred feet and eleven inches south of the southerly line of One Hundred and Tenth street, and running thence easterly, on a line parallel to One Hundred and Tenth street, to a point on the westerly line of Avenue A; thence northerly along said line of Avenue A, to a point distant one hundred feet and eleven inches north of the northerly line of One Hundred and Tenth street; thence westerly, on a line parallel to One Hundred and Tenth street, to the easterly line of Second avenue; thence southerly along said line of Second avenue, to the point or place of beginning.

Fourth.—That our report herein will be presented to the Supreme Court of the State of New York, at a Special Term thereof, to be held in the New Court-house, at the City Hall, in the City of New York, on the 14th day of March, 1876, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

RODERICK F. FARRELL,  
JOHN V. GRIDLEY,  
HENRY D. PURROY,  
Commissioners.

Dated New York, December 29, 1875.

In the matter of the application of the Department of Public Works, for and in behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to the opening of a new street (known as One Hundred and Sixty-fifth street, though not yet named by proper authority), distant 2,644 32-100 feet northerly from the southerly line of One Hundred and Fifty-fifth street, at Tenth avenue, and running from the Koad or Public Drive, east of Tenth avenue, to the Boulevard, near the Hudson river. Also a new street, sixty feet wide and curved, starting at a point on the southerly line of the above-mentioned street, distant 1,844 83-100 feet westerly from the easterly line of Tenth avenue, and running thence southerly and westerly across the Boulevard, to a line one hundred (100) feet easterly from and parallel to the bulkhead line, as established by the Commissioners of the Central Park, under chapter 697 of the Laws of 1867. Also that portion of Tenth avenue, lying between a line running parallel with the southerly line of One Hundred and Fifty-fifth street, and distant 10,293 6-12 feet northerly therefrom, and a line also running parallel with the southerly line of One Hundred and Fifty-fifth street, distant 10,353 6-12 feet northerly therefrom, as established by the Commissioners of the Central Park, in the City of New York.

**WE, THE UNDERSIGNED COMMISSIONERS** of Estimate and Assessment in the above-entitled matter, hereby give notice to the owner or owners, occupant or occupants of all houses and lots and improved or unimproved lands affected thereby, and to all others whom it may concern, to wit:

I.—That we have completed our estimate and assessment, and that all persons interested in these proceedings, or in any of the lands affected thereby, and who may be opposed to the same, do present their objections in writing, duly verified, to the Commissioners, at our office, No. 57 Broadway (Room No. 24), in the said city, on or before the 12th day of January, 1876; and that we, the said Commissioners, will hear parties so objecting within the ten week-days next after the said 12th day of January, and for that purpose, will be in attendance at our said office on each of said ten days, at 3 o'clock P. M.

II.—That the abstract of the said estimate and assessment, together with our maps, and also all the affidavits, estimates, and other documents which were used by us in making our report, have been deposited in the office of the Department of Public Works, in the City of New York, there to remain until the twenty-sixth day of January, A. D. 1876.

III.—That the limits embraced by the assessment aforesaid are as follows, to wit: All those lots, pieces, or parcels of land, situate, lying and being in the City of New York, bounded by, included, and contained within the following limits, that is to say: Beginning at the point of intersection of the centre line of Eleventh avenue with the centre line of One Hundred and Sixty-eighth street, and running thence westerly on a line at right angle to Eleventh avenue, to the bulkhead line on the Hudson river; thence southerly along said bulkhead line to a point intersecting the southern boundary line of Farm No. 6; thence southeasterly along said boundary line to the centre line of the Boulevard, near the Hudson river; thence northerly along the centre line of said Boulevard three hundred and ten feet and six inches; thence southeasterly to a point distant ninety-three feet east of the easterly line of the Boulevard aforesaid; thence northerly three hundred and twenty-six feet; thence southeasterly to a point at Tenth avenue intersecting the centre line of One Hundred and Sixty-second street; thence easterly along the centre line of One Hundred and Sixty-second street, to a point distant two hundred feet east of the easterly line of the Boulevard, near the Harlem river; thence northerly parallel to the said Boulevard to a point distant seven hundred and eighty-six feet and seven inches north of and at right angle to One Hundred and Sixty-fifth street; thence westerly on a line at right angle to Eleventh avenue to the point or place of beginning. All of those lots, pieces or parcels of land bounded and contained as follows: Beginning at a point distant five hundred and fifty-two feet and eight inches north of the extreme northerly line of Fort George avenue, and running thence southwesterly on a straight line to a point on the easterly line of Eleventh avenue, distant one hundred and forty-seven feet and eight inches northwest from the northwesterly line of Fort George avenue; thence southerly along the easterly line of Eleventh avenue to a point distant three hundred and twenty-five feet eleven and one-half inches south of the southerly line of Fort George avenue; thence easterly at right angle to Eleventh avenue three hundred and fifty-nine feet nine inches; thence northerly on a line nearly parallel to Eleventh avenue three hundred and five feet eleven and one-half inches; thence easterly at right angle to Eleventh avenue, to a point distant one hundred and fifteen feet and six inches east of the easterly line of Tenth avenue, and thence northerly to the point or place of beginning, said premises appearing upon the maps or diagrams above mentioned.

IV.—That our report herein will be presented to the Supreme Court of the State of New York, at a Special Term thereof, to be held in the New Court-house, at the City Hall, in the City of New York, on the 17th day of February, 1876, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, November 29, 1875.

SMITH E. LANE,  
DOUGLAS A. LEVINE,  
WM. R. FARRELL,  
Commissioners.

In the matter of the application of the Department of Public Parks, for and in behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to the opening of One Hundred and Twenty-fifth street, from Ninth avenue to the Boulevard, in the City of New York.

**WE, THE UNDERSIGNED COMMISSIONERS** of Estimate and Assessment in the above-entitled matter, hereby give notice to the owner or owners, occupant or occupants, of all houses and lots and improved or unimproved lands affected thereby, and to all others whom it may concern, to wit:

I.—That we have completed our estimate and assessment, and that all persons interested in these proceedings, or in any of the lands affected thereby, and who may be opposed to the same, do present their objections in writing, duly verified, to the Commissioners, at our office, No. 82 Nassau street (Room 24), in the said city, on or before the 28th day of February, 1876; and that we, the said Commissioners, will hear parties so objecting within the ten week-days next after the said 28th day of February, and for that purpose will be in attendance at our said office on each of said ten days, at 2 o'clock P. M.

II.—That the abstract of the said estimate and assessment, together with our maps of damage and benefit, and also all the affidavits, estimates, and other documents which were used by us in making our report, have been deposited in the office of the Commissioner of Public Works of the City of New York, there to remain until the 10th day of March, 1876.

III.—That the limits embraced by the assessment are as follows: All those certain lots, pieces, or parcels of land, situate, lying and being in the City of New York, bounded by and contained within the following limits, that is to say:

Beginning at a point on the westerly line or side of Ninth avenue, distant ninety-nine feet and eleven inches northerly from the northwesterly corner of Ninth avenue and One Hundred and Twenty-fifth street; and running thence westerly and parallel with One Hundred and Twenty-fifth street to the easterly line or side of the Boulevard; thence southerly along the easterly line or side of the Boulevard three hundred feet and ten inches; thence easterly and parallel with One Hundred and Twenty-fifth street to the southwesterly line or side of Manhattan street thence northeasterly to the northwesterly corner of Ninth avenue and One Hundred and Twenty-fifth street; and thence northerly along the westerly line or side of Ninth avenue

ninety-nine feet and eleven inches to the point or place of beginning.

IV.—That our report will be presented to the Supreme Court of the State of New York, at a Special Term thereof, to be held at Chambers, in the County Court-house, in the City of New York, on the 3d day of April, 1876, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

DENNIS BURNS,  
JOHN BRESLIN,  
NICHOLAS MULLER,  
Commissioners.

Dated New York, January 20, 1876.

In the matter of the application of the Department of Docks, for and in behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to the acquiring of right and title to the northerly half of Pier No. 33, and the southerly half of Pier No. 34, North river, in the City of New York.

**PURSUANT TO THE STATUTES OF THE** State of New York, in such case made and provided, the Commissioners of the Department of Docks, for and on behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to the acquiring of right and title for said city, to the northerly half of Pier No. 33, and the southerly half of Pier No. 34, North river, in the City of New York, hereby give notice that the Counsel to the Corporation of said city will apply to the Supreme Court, in the First Judicial District of the State of New York, at a Special Term of said Court, to be held at the Chambers thereof, in the County Court-house, in the City of New York, on the 3d day of February, A. D. 1876, at the opening of said Court, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended are the acquiring of right and title for the Mayor, Aldermen, and Commonalty of the City of New York, for the use of the public, (1) to the northerly half of Pier No. 33, North river—beginning at a point seventy feet westerly from the northwesterly corner of West and Jay streets, and extending along the centre of said pier to the end thereof, including the entire northerly half of said pier; and (2) to the southerly half of Pier No. 34, North river—beginning at a point seventy feet westerly from the intersection of the easterly side of West street and the centre of Harrison street, and extending along the centre of said pier to the end thereof, and including the entire southerly half of said pier.

New York, January 8, 1876.

WILLIAM C. WHITNEY,  
Counsel to the Corporation,  
No. 2 Tryon Row.

In the matter of the application of the Department of Public Works, for and in behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to opening a new street (known as One Hundred and Sixty-fifth street, though not yet named by proper authority), distant two thousand six hundred and forty-four and thirty-two hundredths (2,644 32-100) feet northerly from the southerly line of One Hundred and Fifty-fifth street, at Tenth avenue, and running from the road or Public Drive, east of Tenth avenue, to the Boulevard, near the Hudson river; also a new street (not yet named by proper authority), sixty (60) feet wide, and curved, starting at a point on the southerly line of the above-mentioned street, distant one thousand eight hundred and forty-four and eighty-three hundredths (1,844 83-100) feet westerly from the easterly line of Tenth avenue, and running thence southerly and westerly across the Boulevard, to a line one hundred (100) feet easterly from and parallel to the bulkhead line, as established by the Commissioners of the Central Park, under chapter 697 of the Laws of 1867; also a portion of Tenth avenue, lying between a line running parallel with the southerly line of One Hundred and Fifty-fifth street, and distant ten thousand two hundred and ninety-three and six-twelfths (10,293 6-12) feet northerly therefrom, and a line also running parallel with the southerly line of One Hundred and Fifty-fifth street, and distant ten thousand three hundred and fifty-three and six-twelfths (10,353 6-12) feet therefrom, as established by the Commissioners of the Central Park, in the City of New York.

**NOTICE IS HEREBY GIVEN THAT THE BILL** of the costs, charges, and expenses incurred by reason of the proceedings in the above-entitled matter, will be presented for taxation to one of the Justices of the Supreme Court, in the New Court-house, at the City Hall, in the City of New York, on the fourth day of February, A. D. 1876, at 10½ o'clock in the forenoon.

SMITH E. LANE,  
DOUGLAS A. LEVINE,  
WILLIAM B. FARRELL,  
Commissioners.

Dated New York, January 20, 1876.

## FINANCE DEPARTMENT.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
ROTUNDA, NEW COURT-HOUSE,  
NEW YORK, January 28, 1876.

### NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED JANUARY 7, 1876.

Sewers in Eighty-third and Eighty-fourth streets, between Eighth and Ninth avenues, and in Ninth avenue, between Eighty-third and Eighty-fourth streets, with branch in Eighty-fourth street.

Regulating and grading Seventy-sixth street, from Fifth avenue to East river.

Paving Thirty-sixth street, from Tenth to Eleventh avenue, with Belgian pavement.

Paving Fifty-fifth street, from Eleventh avenue to the Hudson river, with Belgian pavement.

Paving Sixty-sixth street, from Third avenue to Avenue A, with Belgian pavement.

Paving Seventy-first street, from Second to Third avenue, with Belgian pavement.

Paving Ninety-third street, from Second to Fourth avenue, with granite-block pavement.

Curb, gutter, and flagging north side of Fifty-sixth street, from Sixth to Seventh avenue.

Flagging on both sides of Seventh street, from Lewis street to East river.

Flagging sidewalks on north side of Fifty-sixth street, between Eighth and Ninth avenues, opposite Nos. 339 and 341.

Flagging sidewalks on west side of Third avenue, between Sixty-ninth and Seventieth streets.

Fencing vacant lots on north side of Sixty-ninth street, between Third and Lexington avenues, and on the east side of Lexington avenue, between Sixty-ninth and Seventieth streets.

Fencing vacant lots on the block of ground bounded by One Hundred and Fourteenth and One Hundred and Fifteenth streets, First and Second avenues.

All payments made on the above assessments on or before March 28, 1876, 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 from 9 A. M. to 2 P. M., for the collection of money, and until 4 P. M., for general information.

SPENCER KIRBY,  
Collector of Assessments.

DEPARTMENT OF FINANCE,  
BUREAU FOR THE COLLECTION OF ASSESSMENTS,  
ROTUNDA, COURT-HOUSE,  
NEW YORK, January 8, 1876.

### NOTICE TO PROPERTY-HOLDERS

**PROPERTY-HOLDERS ARE HEREBY NOTIFIED** that the following Assessment Lists were received this day in this Bureau for collection:

CONFIRMED DECEMBER 23, 1875.

Sewer in Lighthouse street, between Varick and Hudson streets.

Sewers in Water street, between Jefferson and Gouverneur streets.

Sewers in South Catharine and Water streets, between present sewers in Catharine and Market streets.

Sewer in Sixty-eighth street, between Third and Fourth avenues, with branches in Lexington and Third avenues.

Sewers in One Hundred and Twenty-sixth street, between Sixth and Eighth avenues.

Sewers in One Hundred and Twenty-eighth street, between Sixth and Seventh avenues.

Sewer in One Hundred and Thirtieth street, between Third and Fourth avenues.

Sewer in One Hundred and Thirty-fourth street, between Fifth and Sixth avenues.

Receiving-basin on the northeast corner of Third avenue and One Hundred and Twenty-ninth street.

Underground drains on both sides of the lines of Inwood and Dyckman streets, between Harlem and Hudson rivers.

Regulating, grading, curb, gutter and flagging Sixtieth street, from First avenue to Avenue A.

Regulating and paving, with Belgian or trap-block pavement, Seventy-fifth street, from Madison to Fifth avenue.

Regulating and grading Eighty-eighth street, from Eighth to Tenth avenue.

Paving West Eleventh street, between Sixth and Seventh avenues, with square granite-block pavement.

Paving Sixty-third street, from Second avenue to East river, with Belgian pavement.

Flagging in front of No. 236 West Forty-seventh street.

Flagging sidewalks on both sides Fifty-fourth street, from Fourth to Fifth avenue.

Flagging sidewalks on both sides of Eighty-fourth street, from Madison to Fifth avenue.

Fencing vacant lots on the southeast corner of Third avenue and Eighty-seventh street.

Fencing vacant lots on the south side of Ninety-second street, commencing 225 feet west of Third avenue, and extending 50 feet westerly.

All payments made on the above assessments on or before March 9, 1876, 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.

SPENCER KIRBY,  
Collector of Assessments.

FINANCE DEPARTMENT,  
COMPTROLLER'S OFFICE, January 28, 1876.

### PROPOSALS FOR PRINTING AND BINDING NOTICE OF SALE FOR UNPAID TAXES OF 1871 AND 1872, AND UNPAID WATER RENTS FOR 1870 AND 1871.

**SEALED PROPOSALS, ENDORSED AS ABOVE,** will be received by the Comptroller of the City of New York, until 12 o'clock M. of Thursday, the 10th day of February, 1876, at which time they will be publicly opened, for furnishing and delivering to the Bureau for the Collection of Arrears, six thousand (6,000) copies of Notice of Tax Sale for Unpaid Taxes of 1871 and 1872, and Unpaid Water Rents of 1870 and 1871.

Proposals must state the price per printed page for six thousand (6,000) copies, in the same style and size of type, and page, and same quality of paper as sample, to be seen in the Bureau for the Collection of Arrears, Comptroller's office; which price per page is to include all charges for composition, corrections, presswork, dry pressing, paper, and binding.

Also, for six thousand (6,000) covers for the same, same as sample to be seen as above.

The award of the contract will be made as soon as practicable after the opening of the bids.

No proposal will be considered unless accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded under that proposal, they will, on its being so awarded, become bound as sureties in the sum of one thousand dollars for its faithful performance, which consent must be verified by the justification of each of the persons signing the same, before a Judge of any Court of Record in this county, in the said amount. The adequacy and sufficiency of such security to be approved by the Comptroller.

The Comptroller reserves the right to decline any and all proposals, if deemed to be for the public interest, and no proposal will be accepted from, or a contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is defaulter, as security or otherwise, upon any obligation to the Corporation.

Blank forms of specifications and agreement, which are to be strictly complied with, can be obtained on application at the Bureau for the Collection of Arrears of this Department.

ANDREW H. GREEN,  
Comptroller.

### DEPARTMENT OF TAXES AND ASSESSMENTS.

DEPARTMENT OF TAXES AND ASSESSMENTS,  
No. 32 CHAMBERS STREET,  
NEW YORK, December 13, 1875.

**NOTICE IS HEREBY GIVEN THAT THE BOOKS** of Annual Record of the assessments upon the Real and Personal Estate of the City and County of New York for the year 1876, will be open for inspection and revision, on and after Monday, January 10, 1876, and will remain open until the 30th day of April, 1876, inclusive, for the correction of errors and the equalization of the assessments of the aforesaid real and personal estate.

All persons believing themselves aggrieved must make application to the Commissioners during the period above mentioned, in order to obtain the relief provided by law.

By Order of the Board,

ALBERT STORER,  
Secretary.

### POLICE DEPARTMENT.

POLICE DEPARTMENT OF THE CITY OF NEW YORK,  
PROPERTY CLERK'S OFFICE,  
NEW YORK, January 11, 1876.

**OWNERS WANTED BY THE PROPERTY** Clerk, of the Police Department, 300 Mulberry street, Room 39, for the following property now in his custody without claimants:

Male and female clothing, seven horse blankets, seven sets harness, six revolvers, three woolen shawls, five lace shawls, lot furs, thirty-one coats, cloth, silver plated ware, gold pen and case, one 14 foot boat, four billiard balls, case wine, two gold watches, Nos. 4,070 and 25,462, also several small amounts of money found in the street and taken from prisoners.

C. A. ST. JOHN,  
Property Clerk.