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EXECUTIVE DEPARTMENT.

ANSWER OF HIS HONOR WILLIAM F. HAVEMeyer, MAYOR OF THE CITY OF NEW YORK, TO CERTAIN CHARGES AGAINST HIS OFFICIAL CONDUCT, MADE TO HIS EXCELLENCY JOHN A. DIX, GOVERNOR OF THE STATE OF NEW YORK.

MAYOR'S OFFICE,
NEW YORK, July 27, 1874.

To his Excellency JOHN A. DIX,
Governor of State of New York:

SIR—I have the honor to acknowledge the receipt of a communication from you dated the 10th of July, instant, informing me that an application had been made to you to remove me from the office of Mayor of the City of New York, upon charges of official misconduct; and also of divers documents, printed and written, described in your communication as “a copy of the charges” upon which the application had been made.

One of these documents is, in form, a petition for my removal, signed by Charles Watrous, and setting forth, as the ground thereof, the alleged illegal appointment of Oliver Charlick and Hugh Gardner as Police Commissioners, after their conviction of a misdemeanor, involving, as is alleged, a violation of their oaths of office.

Another is also a petition, in all respects, I believe, a copy of the former one, but signed by John P. Crosby, Joseph C. Jackson, Wm. M. Pritchard, C. A. Hand, Benj. B. Sherman, Wm. C. Barrett, and A. A. Redfield. These papers present the questions whether the appointments above mentioned were illegal; and, if so, whether sufficient cause is thus furnished for my removal from office.

As these reasons for my removal are also urged in the more voluminous document which I am next to mention, these two petitions need not be specially noticed.

The remaining document is a printed paper, in the preparation of which considerable industry seems to have been employed. It is signed by Oswald Ottendorfer, John Kelly, and William H. Wickham, prominent Tammany politicians, and may, without unfairness, be designated, for the sake of brevity, as the “Tammany Charges.” It seems to have been originally a petition for my removal; but by means of additions, interlineations, etc., etc., in writing, has been transformed into what is styled “Charges” and “Specifications,” setting forth either in the body thereof, or by means of exhibits appended thereto, or embracing by reference, a large mass of printed and other matter, consisting of reports of committees, resolutions of the Board of Aldermen, correspondence between different Departments of the City Government, a very lengthy communication from Mr. John Kelly, lately published in the newspapers, and addressed to me, but never sent to me, and large bodies of testimony taken in some *ex parte* proceedings, or before legislative committees; all of which voluminous matter is, by means of recitals in each instance to the effect that “it forms a part of this specification” sought to be introduced to your notice in advance of any investigation by you, under color of the pretence that it is by way of a “specification” of some supposed offense committed by me.

All this certainly cannot be requisite to apprise you of the nature and particulars of the charges preferred against me; and its studied and artful introduction, useless for any other purpose, is, I am obliged to believe, designed to preoccupy your mind with an impression unfavorable to me, which otherwise would find no lodgment there.

My reliance on your well known character for candor and fairness, is such that this artifice does not greatly disturb me; and I allude here to the bulky masses of matter composed largely of comment, criticism, and denunciation thus placed before you, mainly for the purpose of protesting that I cannot be expected, in any answer to what are called the “Charges” against me, to wade laboriously through this *farrago* (I use the word in no offensive sense), and strive to gather by anticipation, what points the ingenuity of my opponents may, by possibility, extract from it.

I wish to make this further general observation upon the course which my accusers have thought it expedient to pursue in their attacks upon me. If they had, as they might have done, pointed out in simple and concise terms by way of specification, the particulars in which they supposed me to be guilty of the general charges they have made, and left the supposed proofs and evidences of my alleged misconduct to be produced at some investigation to be ordered by you, it would have been enough for me, by way of answer, to interpose a general denial of the charges and specifications,

reserving anything I might have to say by way of defense, until an investigation had been made, and the results of it placed before you.

My accusers have, however, elected a different mode of procedure. Every thing which, in their zealous regard for the public welfare, or their personal malice toward me, if any they have, they could find tending to create an unfavorable impression of my official conduct, they have industriously collected. Their whole case, with all its proofs, is exposed to your scrutiny, and submitted to your judgment. This imposes upon me the burden of making a general answer. It gives me, at the same time, the opportunity of showing the emptiness of the charges against me, and the poverty of the proofs by which it is sought to support them, and as my accusers have paid little attention to technical form, I shall dismiss all attention to it.

I must do my accusers the justice of saying that they have indicated in sufficiently clear terms the general charges which they make against me; and in stating these I shall borrow from their language. The charges are two in number, and are as follows:

First. “Gross neglect of duty in refusing to investigate the official conduct of Oliver Charlick and Hugh Gardner, as Police Commissioners of the City of New York.”

Second. “Gross misconduct in office, and abuse of the appointing power,” in appointing Oliver Charlick and Hugh Gardner as Police Commissioners, after their conviction for an offense involving a violation of their oaths of office, and after various charges had been made against them, without first investigating such charges.

In all the matter which has been submitted to you, or to which you are referred, whether it be testimony taken before the Legislative Committee, or before a Judge of the Supreme Court, Resolutions of the Board of Aldermen, the trial and conviction of the Police Commissioners, or letters of politicians published in newspapers, my accusers can find nothing tending to impeach my official conduct, except in the two particulars above mentioned. It is, therefore, to those points that I am to confine whatever I may have to say by way of answer.

The first charge against me, then, is that I have been guilty of neglect of duty “in refusing to investigate the official conduct of Oliver Charlick and Hugh Gardner as Police Commissioners.”

This charge is sought to be supported, in the first place, by a reference to supposed important disclosures made in the course of an inquiry by the Committee of the late Assembly into the management of the Street Cleaning Bureau of the Police Department. This inquiry was prosecuted in the months of February and March of the present year; and it is declared by my accusers that the facts developed in the course of it, “were such as made it the duty of the Mayor of the City of New York, in fulfillment of the obligations of his oath of office, to cause an immediate investigation to be made into the matter, and to remove the parties accused from office, if sufficient grounds therefor should be disclosed thereon.”

The charge is further sought to be sustained by a reference to the report of that committee, and the specifications refer to, and adopt the late report of a Committee of the Board of Aldermen, in which it is declared that a sufficient cause for the suspension and removal of the Police Commissioners, “is certainly furnished by the report of the Committee of the Affairs of Cities in regard to the management of the Street Cleaning Bureau of the Police Board of the City of New York, although the testimony on which the results enumerated in the report, and the conclusions drawn therefrom are based, is not yet published, and is not expected, as we are informed, to appear in print before five or six weeks.”

I freely admit it to be my duty to be active and vigilant in observing the management of the various departments of the government of this city; and when any charge of official misconduct or incapacity on the part of any officer subject to removal by me, is laid before me by responsible persons who avow themselves ready and able to substantiate it, to afford them the opportunity to satisfy me of the truth of such charges. The ordinary duties of my office, however, furnish me with incessant occupation; the contingent fund allowed to me, out of which such expenses as those which attend an investigation must be paid, is very moderate, and requires careful husbanding. It is not becoming or wise to assume, without pressing occasion, the office of both accuser and judge. Officers charged with the responsible conduct of important public business are more likely to perform their duties well when they are treated with generous confidence, instead of a busy and easily aroused suspicion, and it is ordinarily safe to presume that, where no responsible man can or is willing to make a distinct charge, there is no substantial ground for any.

For these reasons I believe it to be quite inexpedient, as a general rule, that the discretion with which the Mayor of this city is clothed to institute a formal investigation into the conduct of heads of departments, with a view to removal from office, should be exercised, except upon the making of some grave charge by some responsible person who avows his readiness to maintain it by proof. Your Excellency is clothed by law with similar, though wider functions, relative to the removal of public officers. It is to this very branch of your authority that the present appeal is made by my accusers. I think you must have heard, in some form or other, during your term of office,

grave accusations against public officers, subject to removal by you; but I apprehend that you have not regarded it as a useful employment of your time, to institute investigations against the persons thus accused, without some explicit charge being made before you by a responsible person, ready to support it. Nevertheless, without any such charge, should information reach me through any reasonably trustworthy channel, making it probable that some flagrant misconduct or incapacity existed in some department of the city government, I do not doubt that it would be my duty to blend the several functions of prosecutor, judge, and executioner, and remedy the mischief.

These are the views upon which I acted in relation to the inquiry prosecuted by the Assembly Committee above referred to. I was neither ignorant nor unobservant of that proceeding. I was aware that it had been ordered upon the motion of a member of the Assembly, supposed to be personally hostile to the Police Commissioners, or some of them; a professional gentleman of high rank and ability, and distinguished for his impetuosity in the pursuit of public officials supposed to be guilty of any delinquency, was employed to aid the committee; and I supposed that the inquiry would be conducted certainly not in any friendly spirit, and therefore that whatever real misconduct or maladministration might exist, would be brought to light. I read from time to time, so far as my occupations gave me leisure, in the daily journals, such parts of the published testimony as seemed to me worth reading; but I perceived nothing which called upon me to institute a formal investigation into the conduct of the Police Commissioners, or take any other special action.

I did indeed observe some testimony leading to the belief that small sums had been taken from citizens in some instances by employees for taking away garbage or ashes; that in one instance several hundred dollars had been received by the Police Captain in charge of the work, from the agent of the New Jersey Central Railroad, out of moneys which should apparently have been paid over to that company, and which the Police Captain should not, under the rules of the department, have retained; and that in some instances, laborers inferior in point of physical strength, were employed through the recommendations of politicians, members of the Legislature, etc. All this undoubtedly showed that in the business of cleaning some two hundred and fifty miles of streets and avenues, and removing the refuse and garbage of a mighty city, involving the employment of hundreds of laborers, and the annual expenditure of a million of dollars, some of the abuses, which have long marked that part of the public service, were still in existence. I certainly do not apologize for these evils. I sincerely wish they could be wholly eradicated; but I have this to say in reference to them: such abuses will always creep into such business. To repress them belongs to the ordinary discipline of the department. In spite of the most rigorous discipline they will, to some extent, exist. There was nothing in the evidence perceived by me, tending to show that these abuses existed by the wilful sufferance of the Commissioners, or that they were not prompt to discharge and punish those guilty of the abuses, whenever made aware of their existence.

I also observed some evidence apparently brought out for the purpose of making it appear that ashes and street cleanings were dumped upon the property in which a member of the board was interested, without compensation, at a time when these materials could be made to pay a revenue to the city. I took some pains to ascertain the truth respecting this matter, and found that at a time, when, by reason of the rigorous orders of the Board of Public Health, it was extremely difficult to find a dumping ground on or in the near neighborhood of the City of New York, after the scows had been towed down, at great expense, into the bay, and dumped there, and this had been prohibited by the Harbor Commissioners, the officer in charge of the Street Cleaning Bureau had applied to the commissioner above referred to, for permission to dump street sweepings, ashes, etc., upon the property in question. From a just sense of propriety, he declined to give such permission, but directed the officer to the board itself. The board acted upon this request, and gave the permission, the member referred to not voting. Not long afterward, and before any public observation had been drawn to the circumstance, an offer having been made by other parties to take and pay for such refuse matter, it was promptly accepted, and the property in question was no longer used as a dumping ground.

I have thus explained that there was nothing observed by me in the proofs developed before this Committee, which incriminated any of the Commissioners, or required me, in the absence of any charge against them, to proceed upon my own motion upon an investigation with a view to the removal of any of them. But great stress is laid in the “Specifications” upon the point that the report of this Committee gravely incriminated the Police Board, and that this document, carrying with it the sanction of a standing committee of the Assembly imposed upon me the duty of making an investigation forthwith.

To this I have to say that the Committee did not in their report state a single particular act or thing in which the conduct or integrity of the Commissioners, or any one of them, was impeached. They neither pointed out nor attempted to point out anything done or omitted to be done, which, if proved to be true, would have justified

the removal of the Commissioners or any one of them. And yet they had made, as they declare, “a most searching inquiry into the whole subject, personally examining into the working of the bureau in all its details, their accounts, books, and papers; had personally inspected the public streets; and had examined a great number of witnesses, and taken a great amount of testimony.” If, after all this, they could find nothing implicating the official behavior or integrity of any of the Commissioners, which they were willing to set down in writing over their name, I, surely, was not called upon from anything stated in their report, to proceed, in the absence of any charge, upon an investigation of the conduct of the Commissioners, with a view to their removal.

But it may be said that the subject of complaint against the Police Board was not any particular offense or violation of duty, but *general inefficiency*; and that the report of the Committee does incriminate them on this general ground. True, it does; and, that I may state in its full force the opinion of the Committee on this head, I give their own language, and in the capitals which my accusers have thought these weighty sentences deserve: “But your Committee are convinced that the cleaning of the public streets in the City of New York can only be thoroughly and economically accomplished by a Board composed of men who recognize their first duty to be to the great mass of the people; who look at it in a sanitary and economical point of view; which position your Committee are forced to the conviction the present Police Board does not occupy, and any permanent improvement can only be expected from a reconstruction of the Board of Police.”

Sounding commonplaces like these mean nothing more when signed by the members of a legislative committee than when they drop from the pen of a newspaper writer, or from the tongue of a speech-maker in the Assembly; yet it is upon such stuff that it is alleged that I ought forthwith, in the absence of any other accusation, to have proceeded, on my own motion, with an investigation into the conduct of the Police Commissioners. How could I, upon this, frame a charge? What could I call upon them to answer? Had I summoned them before me on a charge that they had failed “to recognize their first duty to be to the great mass of the people, and had not looked at street cleaning in a sanitary and economical point of view,” I should have justly merited from all right-thinking men the ridicule which a very different class have honored me with.

I hold no argument with those who may affect to think that I have any power to remove a public officer upon any ground which can be defined in no other way than by the term, “general inefficiency.” I can remove only “for cause,” and this means a cause which can be stated, and which is capable of being met and answered. And here let me add, that no officer can be guilty of “general inefficiency,” without being guilty of particular acts of neglect which can be made the subject of *precise statement* and of *proof*. A general power of removal for reasons incapable of definite statement would be a mere arbitrary power which was never intended to be bestowed upon the office I have the honor to hold, and which, if bestowed, would infallibly be abused, and would be made the convenient pretext of removing political or personal enemies.

You will agree with me, I think, sir, that this general expression of opinion on the part of this Committee imposed upon me no duty of instituting an investigation. It was not indeed intended, as I suppose, for that purpose. It was designed to instruct the Assembly, whose instrument the Committee was. That body remained in session nearly a month, I believe, after this report was made to it, and seems to have formed an estimate of its value similar to my own, for it took no action whatever upon it. It did not even direct that a copy of the testimony and report be transmitted to me, and I have never had before me any official copy of them.

I have been for many years a not inattentive observer of the subject of street cleaning in this city, and know that whatever system has been hitherto pursued, by whatever agencies administered, has met with general condemnation—not unlike that visited by this Committee upon the present system. The subject is a large one. It has been for years a perplexity, and few persons know enough about it to justify them in dogmatizing. In what manner this work should be done—whether by the public authorities or by private enterprise—and, if by the public authorities, by what ones? How much money can be afforded for this purpose? All these questions require for their solution a greater attention and from more competent minds than they have yet received. Some estimate of the value of the results contributed by the Legislative Committee, as the fruit of their searching investigation, may be found from a comparison of their conclusions, as stated in their report. They begin by saying “the Committee was forced to the conclusion that the work of street-cleaning should no longer be continued in the Police Department, and that in no other of the existing departments of the city could it be as efficiently and economically performed as it should be;” and, after some observations touching some supposed constitutional difficulties, which I am unable to comprehend, they add: “We are, therefore, left to the conclusion that the cleaning of the streets must, for the present, at least, be left in the hands of the Board of Police!”

I have shown that nothing contained in the de-

velopments before the Committee of the Assembly, or in its report, imposed upon me the duty of making an investigation in the absence of a responsible charge; but I had better reasons than these, were any others needed. The real test of the efficiency of the Police Board in this respect, is to consider the means they had been furnished with, and the work they had accomplished, and compare the results achieved by their predecessors. That they had accomplished all which was possible with the means under their control, I was far from believing. I think that the money expended should be made to produce larger results; and I had no doubt of the existence of minor abuses and causes of inefficiency, which should have been industriously sought out and remedied. At the same time I considered that the Board had had the work in charge less than a year; that they were obliged to accept a system not of their own contrivance, and do the best they could with it. On the whole, from my own observation, and the best means of information at my command, I am clearly of the opinion that the work had never been so well done as during the time it was in their hands.

But my own opinion may not be thought to be the purpose, although I conceive it to be pertinent when the question is as to the fidelity with which I have discharged my official duties. It so happens, however, that I am able to adduce evidence upon this point which will command respect. It will not be alleged that the Board of Health, during the past year, has been, either from fear or favor, too partially inclined to the Police Commissioners; or that there is a better authority than the former upon the question of the efficiency of the Street Cleaning Bureau. In the Quarterly Report of the Board of Health, for the quarter ending July 31, 1873, may be found the following:

"Although the Board is relieved of all direct responsibility in respect to the cleanliness of the streets, it is evident, from a provision of section 67 of the last named Act, that the Legislature intended it should have a constant supervision of a subject of such vital importance to the public health. In the performance of this duty the Board has required the Sanitary Inspectors in charge of the several districts into which the city is divided, to inspect the streets of their respective districts, and to report weekly to the Sanitary Superintendent as to their sanitary condition. Abstracts from these reports are forwarded to this Board, and officially transmitted to the Board of Police, thereby notifying the department having charge of the cleaning of the streets of any deficiencies or neglect on the part of its subordinates which may come under the observation of the Sanitary Inspectors. The Board of Police and the Inspector of Street Cleaning have invariably manifested a desire to perform the necessary work in a manner satisfactory to this Board, and to the public; and it is due to them to state that, in the opinion of this Board, the streets of the City of New York, during the present summer, have been uniformly in a more cleanly condition than at any period during the past ten years."

The following extract is taken from the Second Quarterly Report of the Board of Health, being for the quarter ending October 31, 1873:

"The Board of Police and the Inspector of Street Cleaning, in charge of the work, have generally performed that important duty in a manner satisfactory to this Department, and this Board testifies to the fact that at no period in many years have the streets been in so cleanly a condition as during the past summer."

The following extract is taken from the report of the Board of Health for the two months ending December 31, 1873:

"Street-cleaning has been performed by the Department of Police as satisfactorily as the weather and means at its command permitted. The ultimate disposal of street-sweepings, ashes, and garbage is a subject of serious embarrassment, as all the neighboring villages and towns object to its being brought within their limits, while the Harbor Commissioners are equally unwilling to permit dumping in the waters of the bay. During the past summer the Board was compelled to forbid the use of this material for filling the sunken lots in Harlem, on account of the dangerous and offensive exhalations which emanate from it in warm weather."

The following is an extract from the report of the Board of Health for the quarter ending March 31, 1874, embracing, of course, little except winter months:

"The cleaning of the streets of the city has continued to be performed by the Street Cleaning Bureau of the Police Department. The importance of cleanliness of the public streets, as a sanitary measure, is fully appreciated by this Department; but, during the winter months, it is not necessary for this Board to exercise so careful a supervision of this work as during the other portions of the year."

These extracts covered the entire period during which the then Commissioners of Police had had charge of the cleaning of the streets, down to the time when the inquiry by the Assembly Committee was closed. It is the testimony of the Sanitary Department, whose peculiar business it has been to carefully scrutinize the manner in which this work is performed, and to note any inefficiency or neglect; and which requires of the Sanitary Inspectors of every district in the city to make weekly reports as to the condition of the streets in each of their respective districts. Nowhere, in these reports of the Board of Health, is any complaint whatever made of the manner in which the Police Department has performed its work; on the contrary, it is frequently made the subject of hearty commendation; and with this testimony I dismiss from further notice the opinion of the Assembly Committee.

But it is further pointed out in the "charges and specifications" of my accusers, that the Board of Aldermen solemnly requested me to suspend and remove the Police Commissioners, and that I have grossly neglected my official duty in not instituting an investigation into their conduct when thus called upon. It is quite true that the Board

of Aldermen did, on the 20th April, 1874, pass a resolution, of which that part pertinent to the present purpose was in these words: "Resolved, That in the opinion of this Board, it is the indispensable duty of his Honor the Mayor to suspend and remove the present Police Commissioners."

I desire to speak of every branch of the government of this city with the consideration and respect which it becomes its Chief Magistrate to exhibit. I need only to observe, that the above-mentioned resolution, calling upon me to remove the Police Commissioners, without even going through the form of an investigation, was preceded by the recital, as its sole foundation, of the inquiry before the Assembly Committee, and the opinion of that Committee; and, with this observation, I leave you to form your own estimate of the knowledge possessed by the gentlemen of the Board of Aldermen concerning the subject with which they were dealing, of their probable motives, and of the propriety of my acceding to their suggestions. If I have been at all successful in my endeavor to show that the action of the Assembly Committee imposed upon me no duty, even of instituting an investigation, the request of the Board of Aldermen, based upon no other foundation than the report of that Committee, that I should remove, without investigation, need not be further considered.

The absurdity of this request was, indeed, such, that I think I should have been justified in taking no notice of it. I did, however, address to the Aldermen a respectful communication in reply to it, calling their attention to the fact that I could not remove any head of department, except for cause, and after giving an opportunity of being heard, and that this involved the making of charges, closing my communication with this language: "If charges are made by you on this subject, which you are prepared to substantiate, I shall enter on the investigation at once, and determine it without unnecessary delay, as the facts in my judgment shall demand."

This communication from me was referred to a Special Committee of the Board of Aldermen, consisting of Oswald Ottendorfer, S. V. R. Cooper, and Edward Gilson, who made a report contained in the "charges and specifications," in which they affected not to be able to "suppress their astonishment" that I should not deem myself authorized to suspend and remove public officials from office without "specific charges" and a "tedious investigation." But, although thus directly called upon to make charges of some description against the Police Commissioners, in respect to the manner in which they had discharged their duties relative to the cleaning of the streets, which was the sole ground upon which they had sought to inculcate them, they failed to make any. They could not make any; and they confessed their inability by making a total departure from their original charge, and turning to another wholly distinct ground of complaint against the Commissioners, namely, their alleged illegal conduct in relation to elections.

I have been studious not to impute unworthy motives to my accusers, except when the motive is manifest upon the face of the act, but I submit it to your good judgment whether the conduct of the Board of Aldermen in relation to the Police Commissioners evinces an honest belief that the latter were really guilty of misconduct for which they ought to be removed, or a determination to bring about their removal regardless of the question whether there was just cause for it or not. At the time of the passage of their resolution requesting me to remove the Commissioners, the inquiry by the Assembly Committee had taken place. The investigation before Mr. Justice Donohue in respect to the alleged misconduct of the Police Commissioners in relation to elections had also taken place. The Aldermen knew as much of the latter as of the former. Nevertheless, in casting about for a cause, upon which to demand the removal of the Commissioners, they selected the subject of street-cleaning, and made not even an allusion to the supposed misconduct in relation to elections, about which another set of politicians were at the same time, and for similar purposes, loudly clamoring. Driven to put their complaints against the Commissioners into the form of some tangible charge, and finding it impossible, they abandon their ground and proceed to frame charges upon another ground which they did not at first deem worthy even of mention. All this inconsistency does not of course prove that the Commissioners were innocent; but it does tend to show that their accusers had no confidence in their own accusations, and their purpose was not to convict the Commissioners of offenses of which they believed them to be guilty, but to drive them from office, whether guilty or not.

When the question is what notice the Mayor ought to have taken of complaints against public officers, the objects and motives of those making the complaints are most fit to be considered.

One thing further touching this first charge against me, that I did not institute an investigation into the conduct of the Police Board in relation to Street Cleaning, and the motives of my accusers will receive additional illustration. Nowhere in all the voluminous papers which have been placed before you is any matter to be found, tending in any way to inculcate the Police Board in respect to its operations in the business of Street Cleaning, which does not equally inculcate all the members of the Board. The Assembly Committee pointed its sounding an empty criticism against the whole Board without distinction. The Aldermen followed their example. But what I am accused of, is, not of failing or refusing to investigate the conduct of the Police Commissioners generally, but of two of them, namely, Oliver Charlick and Hugh Gardner. Nay, in the face of the proofs which my accusers declare so plainly convict the Commissioners of gross misconduct, and which, if they convict one, they convict all, they adopt and sanction as a part of their "specifications," the letter of one of their number, Hon. John Kelly, which, speaking of two of the Commissioners, declares "John R. Russel an upright and conscientious Republican, and Abraham

Duryee an equally upright and conscientious Democrat. The characters of these latter gentlemen stand in need of no eulogy at my hands among their fellow citizens of New York, where they have lived universally honored and respected throughout their lives."

It would be to no purpose for my accusers to attempt to escape from the self-condemnation they thus inflict upon themselves, for insincerity, and partisan and personal hostility, under the pretence that Commissioners Russel and Duryee were in a minority and not responsible for the action of the Board in relation to street cleaning. Neither is such the fact, nor is there any pretence to that effect anywhere in the papers before you. But even were they in such a minority, and had they been overruled in their desires and wishes, yet, if what is alleged against the Police Board in relation to street cleaning be true, they must have known its truth, and were bound by every consideration of official duty to declare it to me, or such other public authority as might afford a remedy. Had they known of the existence of these pretended abuses by their fellow Commissioners, and failed to reveal their knowledge, but remained like dummies in their offices, receiving its emoluments, and uttering no note of public reproof, they would have deserved not simply removal, but worse punishment.

But enough—Inasmuch as I myself discovered nothing in the evidence before the Assembly Committee, nor in the report of that Committee calling upon me to make an investigation of the conduct of either of the Police Commissioners, and that Committee could find nothing capable of statement inculcating their conduct in any particular; when the Assembly which ordered the inquiry saw nothing in the results of it calling for any action on its part; when the Board of Aldermen were invited to point out any particular in which the conduct of the Commissioners, in relation to street cleaning, demanded scrutiny, confessed by silence their inability; when the Board of Health, whose special province it was to exercise a close observation upon the manner in which this branch of the duties of the Police Board were performed, had uttered no word of public complaint, but, on the contrary, had, from time to time, indulged in expressions of warm approval; when my accusers bestow the most fulsome eulogy upon two of the Commissioners, who, if their colleagues were guilty of any neglect, were guilty with them; and when no individual or body of individuals has ever even called upon me to remove the Commissioners, or investigate their conduct in these respects, except the Board of Aldermen, and they, when challenged to specify their causes of complaint, confessed by their silence the groundlessness of their accusations, I leave it to your judgment to pronounce whether I have been guilty of any neglect in the premises, meriting removal from office, or any other form of condemnation or criticism.

If you should find, as I think you must, that the positive assertions of my accusers in respect to the matters thus far considered are destitute even of any color of foundation, your confidence in any other representations made by them for the purpose of supporting their present appeal to your authority will certainly not be increased.

The other charge made against me, and to which I am now to direct my answer, is: "Gross misconduct in office, and abuse of the appointing power." This charge is based upon my action in reappointing Oliver Charlick and Hugh Gardner as Police Commissioners after their conviction for a misdemeanor, and while other charges were pending against them.

I suppose two questions may be considered as here raised; one a purely legal one, as to whether such reappointment was in violation of some law so well settled and clear that I should be charged with knowledge of it; and the other a moral question, as to whether such reappointment was, under the circumstances, such an unfit exercise of the appointing power as to amount to gross abuse of it.

Touching the legal question, it seems to be necessary to say but little. I have not had the advantage of a legal education, and certainly but little value can be attached to any opinion of mine upon any disputed point in the law; but surely all must agree that Messrs. Charlick and Gardner were not ineligible to reappointment after their conviction and resignation, unless they were made so by the provisions of some statute. There is no such statute, as I have been and am still advised.

In the petitions for my removal, signed by Messrs. Watrous, Crosby and others, and which are endorsed like ordinary law papers, with the name of Henry L. Clinton, Esq., as counsel, and which, I may therefore infer, were drawn by that gentleman, it is set forth, that after the conviction of Messrs. Charlick and Gardner for a misdemeanor, I received a notice from your Excellency that their offices had become vacant by reason of their conviction of a crime involving a violation of their oaths of office; and that the duty thereupon devolved upon me "to appoint two suitable and fit persons (other than the said Charlick and Gardner) Police Commissioners for the City of New York;" but that "in gross and outrageous violation of his (my) duty as such Mayor, and in defiance of law and public decency," I reappointed Messrs. Charlick and Gardner.

It is not anywhere suggested by these petitioners that the persons so appointed by me were, in any way, unworthy of the trust thus bestowed upon them, unless it so appeared from the facts of the conviction above mentioned, and the receipt of the subsequent notice from your Excellency, and the respectable gentlemen signing these petitions, and, more especially, the professional counsellor who seems to have guided them, might well have borne in mind that, if there be any chasm between these facts and the conclusion sought to be drawn from them, the use of violent epithets, such as "gross and outrageous," and "in defiance of law and public decency," will hardly serve to bridge it over.

Waiving for the moment the question whether the convictions did involve the violation of the

oaths of office, and admitting, for the purpose of the argument, but for no other purpose (because I have never for an instant believed it), that such was its effect, I am yet to be instructed in what way, or by force of what law, Messrs. Charlick and Gardner were ineligible to reappointment. I willingly agree, that had the offence of which they were convicted really involved a violation of their oaths of office, and I was properly charged with knowledge of that fact, it would have been a very questionable exercise of the discretion reposed in me to have reappointed them; but such considerations are not pertinent to the charge that I have committed an illegal act.

Our system of civil administration, assuming what is quite true in my case, that public officers called upon to discharge responsible duties may be imperfectly acquainted with legal principles and rules, usually provides them with professional counsellors to whom they may and ought to resort, when in doubt, concerning any legal question. Upon this occasion I thought it prudent to avail myself of this provision for my better instruction, and before taking any action in the premises, I applied to my legal adviser, the Counsel to the Corporation, for his opinion on all the legal questions involved. In the absence of that officer from the city, his very competent assistant, George P. Andrews, Esq., furnished me with his opinion, which was undoubtedly to the effect that there was no legal impediment to the reappointment of the above-named persons as commissioners. I enclose with this communication a printed copy of the opinion of Mr. Andrews, which I commend to your attention. If there be any thing more which I ought to have done, or could have done, I am at a loss to perceive what it is. If, after forming the best opinion as to the law which my abilities and education permitted, and after resorting to those means of enlightenment which the law has assigned to me, I have fallen or been led into error, and must suffer condemnation therefor, my case would seem to be somewhat exceptional, and the office I hold carries with it hazards, which any man capable of worthily filling it would carefully shun.

I pass to what I have termed the moral question, namely, whether I have rendered myself obnoxious to the charge of having abused the power of appointment, by bestowing office upon persons palpably and flagrantly unworthy. And here let me answer that part of this charge, which raises a legal technical question, which I have thus far reserved. That is, that Messrs. Charlick and Gardner had been convicted of an offence involving a violation of their oaths of office, and that the immediate reappointment of persons thus convicted to the very trusts they had betrayed, was, on its very front, an abuse of the power bestowed upon me.

But did the offence of which they were convicted involve a violation of their official oaths? This is a question which I did not pass without deliberate consideration, more especially for the reason that I received a notice from your Excellency, after the convictions, apprising me that, in your view, they did carry with them this consequence.

You will not require from me any avowal of the high respect I entertain, both on official and personal grounds, for any opinion or suggestion which may proceed from you relative to my official duties. At the same time, I must be allowed to observe that the question whether the offence of which Messrs. Charlick and Gardner were convicted involved a violation of their oaths of office, is a judicial question, the duty of deciding which, for any purpose or action by me, is not cast upon your Excellency; and in the absence of any judgment thereon, by a competent tribunal, I must decide, so far as the purposes of my official action require, as I must all other such questions, upon my own responsibility, aided by such means of enlightenment as the law points out and furnishes me with, for my instruction.

What was the oath of office taken by Messrs. Charlick and Gardner? It was the oath similar to that which every public officer takes: that they would support the Constitution of the United States, the Constitution of the State of New York, and discharge the duties of Police Commissioner, according "to the best of their ability." Were the persons just named convicted of not having performed their official duties according "to the best of their ability?" Certainly not; neither directly or indirectly. They might have been guilty of the offence for which they were convicted, and yet have exhibited an efficiency and uprightness throughout their official conduct, which should render them conspicuous examples to all public officers. Neither their integrity, their fidelity, their efficiency, or the motives, either in the act in respect of which they were convicted, or in any other part of their official conduct, were in any manner drawn in question by the trial, or passed upon by the jury. What then was the precise offence of which they were convicted? To determine this we must have recourse to the proceedings upon the trial; but first allow me to briefly notice the circumstances out of which the trial arose.

The appointment of Inspectors of Election and Poll Clerks is vested by law in the Board of Police, and a general authority is given to that Board to remove any of these officers for want of the requisite qualifications or other cause. As the discharge of this duty requires the Board to make some three thousand or more appointments, and they cannot well be personally acquainted with but comparatively a few of the number, frequent occasion must arise for making removals. It would be of course impracticable to give hearings on such occasions, and the law does not require it; but it does require that "such removal, unless made while the Inspector is actually on duty, on the day of registration or election, and for improper conduct as an election officer, shall only be made after notice in writing to the officer sought to be removed, which notice shall set forth clearly and distinctly the reasons for his removal." Precisely what useful purpose is supposed to be accomplished by this provision, I am unable

to perceive. The notice gives no right to a hearing, and it may be given one moment, and the removal be made the next. But we are not to criticize. It is enough that such is the law. It appears that on the 3d of November, 1873, the day before the election, affidavits were presented to the Commissioners, showing an Inspector named John Sheridan to be a man grossly unfit for the office, and thereupon he was promptly dismissed; but no previous notice was given to him, although he was not actually on duty at the time. Messrs. Charlick and Gardner had excited the hostility of the politicians of Tammany Hall, and after the election, the latter went industriously at work to institute legal proceedings against them. To this end they pitched upon the case of John Sheridan, and procured the Grand Jury to find an indictment against them, in which they were charged with having removed Sheridan "unlawfully and feloniously." Upon the trial of the indictment, the defendants at once admitted that they appointed a man named John Sheridan as Inspector, and that they removed him without notice. (There were some questions made as to the identity of the man, not material here.) As to the commission of the act, therefore, no question was made. Whether it was done *feloniously*, as charged in the indictment, or with evil or corrupt intent, was another question, and, as it seems to me, the main question when we are dealing with the moral quality of the act; but upon this point the prosecutors offered no evidence tending to impeach the motives of the defendants. The defendants themselves desired to prove, and offered to prove, that complaint was made to them that the character of Sheridan was bad; that he was in the habitual practice of frauds at elections, and that he designed to practice fraud at the then impending election; that they declined to act on these complaints, unless something in the shape of proof should be presented to them; that proof was presented, of the most direct and explicit character, in the shape of affidavits. Copies of these affidavits have been shown to me, and certainly no one occupying the place of these Commissioners could properly have failed to act upon them forthwith, and remove the Inspector. But this proof thus offered, the prosecutors objected to upon the ground that it would involve an inquiry into the truth of the matters charged in the affidavits; thus declining the issue as to whether the Inspector really was a person who ought to have been removed. The defendants offered further to show that in making the removal without notice, they acted under legal advice, and in a manner, as they supposed, in accordance with the law; and this proof also, was objected to by the prosecutors. The judge ruled out all the evidence thus objected to, on the ground that neither the fitness of the man Sheridan for his office, nor the good faith of the Commissioners were drawn in question on the trial; and that, in his opinion, the offence was technically committed by the admitted failure to give the notice. Under these rulings, a verdict of guilty seems to have been a necessary consequence. Indeed, there was nothing practically left for the jury to pass upon.

Assuming, as I suppose I ought, and I have no opinion to the contrary, that the rulings of the learned judge were in all things correct, it follows that the conviction of the defendants proves, and only proves, that they removed from office an Inspector of Election, who, from aught that appears or was permitted to be proved, richly deserved removal, and whom they could not have retained in office an hour without a violation of their duty; but that in doing this they omitted to give the written notice prescribed by law; although they in good faith supposed and were advised that their mode of action was in conformity with the law.

I have the honor to say to your Excellency that I cannot believe, until so instructed, by some judicial tribunal of last resort, that an offence of this mere technical character, which the best of men might commit without a shadow of moral guilt, involves a violation of that oath which an officer takes, to perform the duties of his office "to the best of his ability." There are few public officers, even of the best, called upon to perform administrative duties which are regulated by specific legal provisions, who have not, at some time or other, through an oversight, misapprehension, or occasional neglect, violated, or failed to comply with, some requirement of the law. Such offences may involve some legal penalty; and when this is the case, and a conviction is pressed for and had, the penalty must of course be paid; but the characters and reputations of the men who have unintentionally thus subjected themselves, do not, and should not, in the judgment of all right thinking persons, be made to suffer.

The learned judge who presided at the trial of this indictment seems to have been of this opinion, for, in pronouncing the sentence, he observed, if he is correctly reported: "The circumstances disclosed in this case, in my judgment, do not justify me in inflicting any more than a fine, because it was not insisted on the part of the prosecution that in this particular case there was any proof of wicked or willful intent to do wrong."

The present Chief Magistrate of the United States, near the beginning of his first term of office, appointed a distinguished merchant of New York to the place of Secretary of the Treasury. This was in distinct violation of an express statute; but no sensible man allowed his estimate of the character of Gen. Grant to be diminished in consequence of that oversight, or thought him deserving of impeachment. I cannot think that it would be just to say that he thereby violated his oath of office; and yet the oath taken by him, corresponded, in all material respect, with that taken under the laws of this State by Messrs. Charlick and Gardner.

The statute in which offences in violation of an official oath are spoken of, is that which specifies the cases in which offices shall become vacant; and the provision bearing upon the present discussion declares that every office shall become vacant, "on the conviction of an incumbent of an infamous crime, or of an offense violating his oath of office." What an infamous crime is, we are

clearly taught by the Revised Statutes. They declare that "the term infamous crime shall be construed as including every offence punishable with death or imprisonment in a state prison, and no other." But there is nowhere in our written law any definition of what constitutes an offence involving a violation of an official oath. We are left to determine this as best we may, by the reason of the thing, and the analogies of the law.

I believe, and am advised, that an offence involving a violation of such oath, must be one committed by an officer in his official character, and with *malicious or corrupt intent*; and I think the following reasons sufficiently support the interpretation thus indicated:

First. The penalty of the forfeiture of office is a severe one, involving personal disgrace; and it is a cardinal rule, in the interpretation of statutes, to construe provisions inflicting such penalties, strictly, so as not to bring any case within their operation, unless such appears with certainty, to have been the legislative intent.

Second. The phrase "offence in violation of his oath of office," is placed in the statutory provision above cited, in the same clause, and together with the term "infamous crime," to describe a class of offences of grave character, the commission of which should carry with it the liability of forfeiture of official position. It is reasonable to suppose, I think, that the Legislature did not intend to associate together in this way with "infamous crime," any offences, except those committed with evil or corrupt intent.

Third. But what satisfies me more clearly than any other consideration is, that no policy more unwise could be imagined, than to make the commission of every official neglect, amounting to a technical misdemeanor, subject to the disgrace of the forfeiture of office, no matter how trivial the offence, or that it was committed in excess of zeal, or through a misapprehension, into which the best of men will occasionally fall. What man of character would accept the burdens of public office, when he knows that a fearless discharge of his duties will inevitably create around him a horde of enemies, watching and laboring, not to aid him in his endeavors, but to catch him in some slip or omission which may be made the ground of a prosecution for the purpose of rendering his place vacant, in order that it may be given to a more pliant instrument. Such a policy I cannot impute to the law, unless its language leaves me no room to avoid it.

Do not understand me as endeavoring to extenuate or apologize for any neglect or violation of law, however slight. All that I am insisting upon is, that there are differences in the magnitude of offences, and that a wide gulf separates those which involve wickedness and corruption of heart from those into which men fall from excess of zeal, oversight, or pressure of business.

A man once enjoying in this city a personal and official power and influence unexampled before or since, was indicted and convicted for official neglects in the auditing of accounts, and justly sentenced to a long term of imprisonment, which he is now serving, because the evidence conclusively showed that his offence was committed with evil intent and in the prosecution of gigantic frauds. My predecessor in this office was, in a like manner, indicted for like neglect in the auditing of the same accounts; and, had the same motive and intent been proved as in the case of his colleague, would, doubtless, have met with the same fate, and be now expiating the same penalty. But, though it could hardly be said that he was guilty of no neglect, yet, as the corrupt motive was not shown to exist in his case, he was acquitted of all guilt. Men in the exercise of extreme zeal sometimes pass beyond the boundaries of the law, and their conduct, if animated by a good motive, and fruitful in good results, instead of being reprobated are sometimes applauded.

I might refer your Excellency to a case with which you are certainly familiar, where in a great exigency, though not in time of war, and without any overruling necessity, a high public officer issued to a subordinate the command, "If any man hauls down the American Flag, shoot him on the spot!" Had occasion called for the execution of this order, and the character of the act been drawn in question before a judicial tribunal, the task of defending it might not have been easy; but the motive was high and pure, and the applause which followed the order has not yet ceased to reverberate. I do not hold up such examples for imitation; I am simply pointing out the broad and ineffaceable distinctions between technical legal offences and those accompanied with conscious guilt.

I cannot, without the hope that the considerations I have urged, will satisfy you that the offence of which the Commissioners were convicted, involved no violation of their official oaths. But were this otherwise, I think it must be conceded that they were still legally eligible to the office; and when it is considered how wholly technical their offence was, and how entirely free from malicious or corrupt intent, their conviction should constitute no impediment to reappointment.

The only remaining ground upon which my accusers may urge that the reappointment of Messrs. Charlick and Gardner was an abuse of the power confided to me is, that such reappointment was made at a time when other charges were pending against them, and other indictments also which had not been tried; and without any investigation upon my part as to the truth of the charges.

What I have already said renders it unnecessary for me to answer this charge in much further detail. The Aldermen had, indeed, in the vague and general way I have heretofore pointed out, called upon me to remove all the Commissioners, without trial or investigation, on account of the supposed disclosures before the Assembly Committee, implicating their conduct concerning the cleaning of the streets.

I have, I trust, sufficiently exposed the groundlessness of this proceeding. When called upon by me to put their accusation of the Commissioners in this tangible form, they confessed their inability by their silence, and, in effect, abandoned

this ground of complaint, and resorted to supposed disclosures of misconduct developed by an examination before a judge of the Supreme Court, of the proceedings of the Police Board, in relation to the prior general election, which occurred in November, 1873.

This departure, from their original ground, was not calculated to impress me in the reality of their complaints, or in the disinterestedness of the motives which actuated them. The Aldermen did, however, in a communication received from them by me on the 20th of June last, refer me to the testimony taken upon the examination above alluded to, and pointed out parts of it supposed to contain matter showing that the Commissioners had been guilty of some irregularities or misconduct. They did not, however, call upon me to direct any investigation, or offer to substantiate any allegations of misconduct; but called upon me, as before, to suspend and remove the Commissioners, without reference to any investigation.

Although my confidence in the good faith of those engaged in hostile proceedings against the Commissioners was not complete; and I saw many evidences that mere partisan motives were at the bottom of such proceedings; and the communication from the Aldermen was accompanied with a copy of the report of a committee not very respectful in its language toward me, yet I determined to institute an investigation. In response therefore to this action, on the part of the Aldermen, I addressed to them on the 4th of June last, a communication reminding them of their failure to make any offer to substantiate their charges, and of the impropriety of any removal of the Commissioners by me, without investigation, and closing with this language:

"My entire duty in the premises I shall perform; and as you have failed to take advantage of the invitation extended to you by me, and prefer charges which you were prepared to substantiate; not by your mere opinion (which, however, highly you may think of it, is not the opinion by which my final action must be determined), but by facts verified before me, I shall direct that a thorough investigation be forthwith proceeded with, under my immediate supervision, and will take care that you are duly apprised thereof, so that all the facts within your knowledge, if any, may be produced, and my final judgment obtained."

The investigation thus contemplated by me would have been instituted immediately, but my duties at all times keeping me incessantly occupied, were made unexpectedly burdensome in the month of June, and immediately following the sending of the last communication, by the necessity of attending to the revision of the annual estimate and apportionment of expenditures, necessary to be completed before the first of July. Notwithstanding this, however, I should have probably have endeavored to find some time to devote to such investigation, but for these reasons. These charges related wholly to the action of the Commissioners in respect to the previous general election, which had taken place more than seven months before. The investigation of charges so long delayed, and in no way involving the then present duties or conduct of the Commissioners, was not, in my judgment, the first, in point of urgency, among my duties. Moreover, I was informed that one or more indictments had been procured against Messrs. Charlick and Gardner, the two Commissioners against whom the charges were particularly aimed; that these indictments were within a very short period (sooner than I could prosecute an investigation to its completion), to be brought to trial; that the leaders of Tammany Hall had been engaged in an industrious search for evidence to produce upon such trials, and that everything which could be proved, and that could be said against the accused parties, would be proved and said.

It seemed to me that I should probably be better enlightened by the developments thus likely to be made in a legal forum, before a court and jury, than by any investigation conducted by myself; and that under the circumstances, as the delay involved was but short, it would be every way more expedient to await the results of these trials.

I think that you will agree with me that this was a prudent determination.

A trial of one of the indictments, the one already referred to, was had and completed on the 26th of June last, with the result which I have already mentioned. The question was immediately made in the public journals and otherwise, as to the effect of the conviction of the Commissioners upon the offices they held. It was alleged in some quarters that it was to create vacancies in them. The point, indeed, had been made upon the trial, and the defendants' counsel had requested the court to charge the jury that the offence proved did not have that effect. The judge declined to so charge, saying that this question was one which he had nothing to do with; that it must be decided by some other tribunal having the power to investigate it; he would not undertake to say what tribunal had this power, and he added that he did not know there was any such.

I received a notice from you indicating that, in your judgment, the conviction did create vacancies. My own opinion was clearly in the other direction, and I was so advised upon the grounds hereinbefore fully set forth. Still I was under some embarrassment, as you will easily understand. It was, as I suppose, to relieve me from this that the Commissioners resigned their offices, and vacancies were at all events then existing.

The question then arose, what course I should take in filling the vacancies, and to this I gave as deliberate a consideration as I am capable of. My impulse was to reappoint the same Commissioners, but I was not to yield to this unless I was satisfied that they were fit and worthy, and every way capable of an efficient discharge of the duties thus to be reimposed upon them. Upon this my conviction was firm. I appointed them originally, because I believed them to be fit, and especially Oliver Charlick, whose unsurpassed energy and capacity in the management of affairs, known to

me from an acquaintance of thirty years, I wished to put in the service of the public.

I had seen nothing to change that opinion, much to confirm it. Their administration of official duties had never been challenged before me, except in two particulars; first, in relation to the cleaning of the streets, and second, in relation to their functions in respect to elections. How utterly unfounded the first complaint was, I think I have shown. As to the second, the case stood thus: The Commissioners were required by law to appoint the Inspectors of Election, and to make their selections from the two great political parties, as they were divided on State-issues. A committee of two of their number, one from each of the political parties, was appointed, to whom this business was referred. This was in accordance, as I am informed, with precedent, and seems to be advisable for the despatch of business. It is in this way that the different branches of the rest of their functions are distributed, and I suppose the case is the same in most other like bodies. It is alleged that there was a combination on the part of three Commissioners, against the other two, to effect this. So there always a combination when, in a body of five, three vote one way, and two the other. It so happened at the last election that the Democratic party in this city was divided into two factions, each claiming superiority in point of strength; one known as the Appollo Hall Democracy, and the other under the control of Tammany Hall. On the State ticket, they were united, but they had made rival local nominations. Of course each faction claimed a majority of the inspectors, and it was likely that one or the other, and perhaps both, would be dissatisfied. The election passed off, and I have never known a more orderly and peaceful one in this city. The pretense that any combination, hostile to Tammany Hall, had been made, would seem to be tolerably well refuted by the general success of that organization. Nevertheless, some of its conspicuous leaders, not finding their demands, prior to the election, acceded to by Mr. Charlick, were irritated, and came, it would appear, to the resolution to make him feel the weight of their displeasure. It appears that, immediately after the election, a committee was appointed by Tammany Hall, and provided with counsel, to hunt up charges against the Commissioners, and that they have been busily at work from that time up to the present. Hence the investigation before a Judge of the Supreme Court, the indictments, and all the accusations in relation to the conduct of the police concerning the election.

The question with me was, how much of substance is there in all this demonstration against these Police Commissioners? I had read, carefully, the evidence developed on the examination before a Justice of the Supreme Court, and, though numbers of technical irregularities appeared, such as are very apt to exhibit themselves in the conduct of administrative business, when much has to be done with promptitude and in haste, I discovered nothing inconsistent with the honest discharge of duty, and an earnest desire and endeavor to secure a fair election.

In the next place, the Commissioners had, after a great note of preparation, been brought to trouble by their pursuers. It was reasonable to suppose that the latter had selected their strongest case; and that if they were able to show guilt, they would avail themselves of the opportunity. What was the result? The prosecution did not attempt to show the presence of an evil motive on the part of the defendants. They would not allow the defendants to show affirmatively the presence of honest and praiseworthy motives, and thus the trial ended in merely proving a technical misdemeanor of a character utterly trivial, so far as it affected the question whether the defendants were honest and faithful officers in proving that they had removed a man from office whom they ought to have removed, but did not do it in the precise way pointed out by the law. This failure affected no right of the man himself, nor any other individual, or party, or the public. And then the defendants, demanding an immediate trial on every other indictment against them, their prosecutors declined and postponed the contest.

And, a circumstance which had from the first affected me, with the exception of the charges of the Board of Aldermen, who, when unable to meet the call made upon them to frame charges relative to street cleaning, borrowed for the emergency the clamors of Tammany Hall, no delegate or member of Tammany Hall, or any other political party or faction, no defeated candidate, and no individual in any capacity, from the time of the election, to the time of the trial, had ever laid before me any one of these Tammany charges concerning the conduct of the Commissioners, relative to the election, or called upon me to make any investigation into such conduct. The Hon. John Kelly, claims that, to his knowledge, Messrs. Charlick and Gardner were guilty of gross misconduct, and asks your Excellency to remove me from office for gross neglect of duty, in not finding out this before. To this hour, that gentleman has not laid any complaint before me, or called on me in any way to exercise any function of my office in relation to any of the Police Commissioners. Finally, Messrs. Russell and Durfee, against whom Tammany has pointed no charge, and who are made by the specifications before you to possess every public and private virtue, and whose sworn duty it was to speak out if they were aware of any unfair and dishonest combination by which they were rendered powerless, had never, in any manner, intimated to me that Messrs. Charlick and Gardner were guilty of any misconduct.

Upon these grounds, as well as my own confidence in the general good conduct of these Commissioners, I believed that there was no substance in these charges against Messrs. Charlick and Gardner. As to their conduct in the administration of all the other branches of their responsible duties, I knew of no complaint. The police had steadily improved in discipline and efficiency under their control. There was no lack of industry in repressing crime, or vigor in the discovery of it. There had indeed been, on one well known occa-

sion, criticism on the conduct of the Police, to the effect that too great vigor and severity had been exhibited. In short I saw no reason—there was none—why I should not again fill these offices with the same incumbents who had already so well administered them; and in accordance with these views I acted. If, on this occasion, I gave some heed to a voice within me which told me that I might, by a renewed expression of my confidence, do something to save these men from that appearance of disgrace which they might otherwise wear in the eyes of the unreflecting crowd, when they had done nothing to merit it, I listened to a monitor which has hitherto seldom misled me, I might indeed, by pursuing a different course, have greatly served my own comfort, silenced much hostile denunciation of myself and gratified, doubtless, some aspirations for office. But I long ago learned to turn a deaf ear to mere clamor, and I should have forever reproached myself, had I sought to secure my own ease by turning my back upon men who, while engaged in the service of the public at my instance, had been made the victims of an unjust persecution. Whatever others might have thought or done under such circumstances, I am not the man to permit an officer in any way subject to my authority, be he high or low, to suffer for the performance of an act in itself commendable, and done in the honest endeavor to discharge his duty, merely because he has unwittingly committed a technical irregularity. And now after opportunity for further reflection and calm self-examination, I find nothing in my conduct making these reappointments, calling either for apology or regret. As to the circumstance that each was appointed to fill the vacancy created by the other, I have to say that this was done to evade no law, but with the view to prevent the making of any question as to the legality of the appointments. I supposed there would be plenty of cavilers seeking to draw the legality of the act into question, and I intended, so far as I could, to deprive these of their weapons and of their occupation.

I have now laid before you, by way of explanation, the grounds and reasons of my action in all the particulars in which it has been assailed. It would not be irrelevant here to inquire why my accusers have not undertaken to complete the case they have so laboriously sought to make up against me, by pointing out some supposed corrupt or unworthy motives which have led me to the commission of the offences they effect to deem so grave; or in some manner to support their allegation, that great public interests entrusted to my charge are imperilled. The resources of our language seem scarcely adequate to the expression of their sense of the magnitude of the misconduct of which they charge me with being guilty. They say among other things "that the aforesaid action of William F. Havemeyer as Mayor of the City of New York, was inconsistent with his duties as Mayor of the City of New York, and constituted a gross violation of his official duty, which was without precedent in the history of the State!"

Surely, these gentlemen ought to be able somewhere to find some traces of a desperate design on my part to grasp either plunder or power for myself or others, to give some color of probability to this vehemence of accusation. Have I created a ring of mercenary cormorants engaged in gorging themselves from the public treasury? Have I been pandering for the support of the multitude, and making the public interests subservient to my own political or personal aggrandizement? If mere popularity has been my object, I have indeed sought it by unusual methods and with ill-success. Have I been playing into the hands of some political faction? The faction and machine politicians of both parties are making common cause before you to get rid of a magistrate whom neither of them can control. If I have been engaged in serving private and personal ends, instead of those of the public, I must indeed have concealed them with an art more profound than any I have as yet had the credit of possessing, if my assailants with all their industry can discover no traces of their existence.

I might also point to a career not altogether unknown to the people of this city. I have lived among them and their fathers, and had established a reputation for good or for evil before most of my accusers were known among men; but I have never yet been obliged to refer to my character for a defence of my conduct or motives, and never felt less than to-day the necessity for such an appeal.

In closing this general and specific answer to the charges of my accusers, I must put upon the record a protest with which, perhaps, I should have begun. The most important of the powers confided to the Chief Magistrate of this city, like those intrusted to your Excellency, are reposed in his direction, and his exercise of that is not open to review in any quarter, save before the people themselves. This is, in an especial manner, true of those functions of my office in respect to which the charges against me have been made. Whom I shall appoint to, and whom I shall remove from, office; whose official conduct I shall investigate, and when, and in what manner, I shall conduct the investigation, or whether I shall investigate at all, are questions as to which I am not merely permitted, but by law bound to exercise my discretion; and when I have exercised it, I have discharged my whole duty, and cannot be challenged to answer to any other authority, no more than can your Excellency in respect to the like functions of your office. I was elected by the people, and they, in their wisdom or their folly, secured to themselves the benefit or burden of my discretion during my official term. It may be taken away if I be shown to be knowingly guilty of any illegal conduct. Otherwise, they cannot be either stripped of the benefit, or relieved of the burden, until the term for which they bargained for it, is completed.

The importance of this principle can scarcely be over-estimated. Good and stable government cannot be maintained without an observance of it. It is upon a like principle of civil policy that an extraordinary protection is extended to judicial

officers. Judges may be, and not unfrequently are, ignorant and inefficient. Some thirty or forty in this State are employed a large part of the time in correcting each other's errors, and a half dozen or more are constantly employed in correcting the errors of all the rest; but, in order to enable them to discharge their duties without fear or favor, the law interposes an impenetrable shield between them and all accusations in any quarter, except before the High Court of Impeachment. This protection is not more essential to the beneficial exercise of their functions than is a corresponding exemption to any other magistrate or officer in respect to those powers which are confided to his judgment and discretion. Let me not be understood as claiming that an officer in a place like mine can, under the guise of an exercise of discretion, escape responsibility for corrupt and wicked behavior. It is precisely for the reason that misconduct proceeding from such motives is not an exercise of discretion, that he is for such behavior subject to accountability and punishment.

It was, therefore, in the outset, a serious question with me, whether it was not due to the dignity and usefulness of the office I have the honor to hold, and to my successors, to say, in respect to everything except the charge of illegal conduct, that inasmuch as no evidence had been pointed out to you, showing the presence of a corrupt or wicked motive in any part of my official action to which exception had been taken, I chose not to compromise or surrender the dignities of my position by answering in respect to any exercise of my discretionary powers. So far as respecting myself individually, I am permitted and have chosen to waive the benefit of any exemption I might claim; but for the office itself, and for those who succeed me, I must be understood as fully asserting it.

Notwithstanding the length of this communication, I have studied to confine myself closely to those matters which my accusers have brought forward in support of their charges. I have called your attention to but little in the way of proof or illustration, which is not contained in the documents presented to you by them, or to which they have referred. My effort has been to leave the case upon the record as they have chosen to make it up; and while pointing out to you the evidences showing the probable motives of my assailants, so far as these are furnished by the papers they have themselves laid before you, I have carefully refrained from any general attack upon their motives, or from introducing to your view the names and purposes of those not appearing among the number of my accusers, who, nevertheless, stand behind and hope to profit by their success. This task has imposed upon me a constraint, which, at some not very distant day, I may think it suitable to break. I must, however, before closing, be indulged in a few observations, general, it is true, but which seem to me pertinent.

When in the summer of 1871, public attention became riveted upon our municipal affairs, mainly in consequence of the courageous utterances of a public journal, which its gross subsequent abuse of myself shall not prevent me from acknowledging, I was made aware of the perilous condition of the municipal finances. A defection among the leaders of the corrupt cabal which had long held supreme control of the political power in this city, opened to me the opportunity of suddenly rescuing the treasury from their hands; an opportunity which, with the aid of others, was well improved. This circumstance led, as I suppose, to the assignment to me of a prominent place in the Committee of Seventy, then rapidly becoming the nucleus around which all the elements of reform were gathering. I continued in the performance of my duties in that body until the next municipal election, when the same classes who had sustained the action of that committee, proposed to make me their candidate for the Mayoralty. This place I neither sought nor desired. I had twice before held it, and was no stranger to its cares and vexations; but I did not feel at liberty at such a time, and against the wishes of such men, to decline the post. After my election, and when confidence in the municipal administration had become re-established, or, at all events, the further prosecution of schemes of plunder arrested, the mass of those who had theretofore stood by my side in the municipal warfare, quitted the field. I am not the one, perhaps, to declare the reasons of this apparent desertion, and perhaps the principal one was the weariness which follows any unusual effort. From the manner of my nomination and election, I was not permitted to administer my office in the interest of either of the political organizations of the city. I had not sufficient confidence in either to do so if I had wished. Determining to hold an even hand between them, and to be made the instrument of neither, I necessarily excited the hostility of both. In this I was not disappointed, as I never counted upon their assistance. If I could not have the constant support of the solid classes of business and labor, which placed me in office, it was for me to do the best I could without them. I did not seek a refuge behind the ramparts of another power, but have earnestly endeavored to administer the trusts confided to me on the principle of the platform upon which I was elected. I have no right to complain of any desertion. I have lived long enough to learn the fickleness of popular support, and especially of that coming from men too busily engaged in their private affairs to give persistent attention to public interests. Nor do I affect to excuse myself from all responsibility for the indifference I have alluded to. I do not assert that I have in my administration escaped all errors and mistakes; this would be making pretensions of superior wisdom and sagacity to which I lay no claim. But I have found constant and laborious occupation, not altogether fruitless, as I believe, in good results, in efforts, together with those associated with me, to make the government of this great city what it ought to be; to increase its revenues, husband its resources, and maintain order and economy in its various departments; to procure the restoration of moneys

of which it has been plundered; and to resist the enforcement of claims continually presenting themselves, arising from the fraudulent administration which formerly prevailed; and to procure the passage of the laws necessary to effect a restoration of good government; and to resist the numerous ingenious schemes set on foot at every Legislature to advance personal ends at the expense of the public. I make no boasts of the results which have been achieved; but whoever, comparing the municipal administration as it exists to-day, with any which has preceded it for many years, will say that a vast change for the better has not taken place, shows an utter want of either intelligence or candor.

But my purpose in these concluding observations was to point out a danger. The disorganization I have alluded to of the forces which overthrew the corrupt cabal of 1871, has been perceived by the defeated enemy and the machine politicians, who are not slow to take advantage of it. All the corrupt elements have, as if by instinct, struck hands together to render every man who makes an honest endeavor for good government odious. And the elements thus arrayed are formidable. They embrace the machine politicians of both political parties, the numerous adherents of the late corrupt ring against whom prosecutions are pending, and to be brought to compel the restitution of millions of money plundered from the treasury; the still more numerous class holding fraudulent claims against the city to the amount of millions more; the army of contractors who look for subsistence to the prosecution of extended public works, and the consequent increase of the public debt; and with these the numerous horde of lobbyists and adventurers accustomed to be fed directly or indirectly out of the public crib.

All these play the same game, which is to foster a laxity and indifference in the public mind leading to the notion that all who labor for reform in public administration have merely personal interests in view; that there is no substantial difference between the officials of the Tweed regime and those who have succeeded them; that the Committee of Seventy was itself but a ring of place-seekers; and in short, that one man is as good as another. These mercenary classes and their retainers inside and outside of the offices of newspapers, make it their occupation to attack the character of every man who strives to render a public service, so as to make every such effort perilous to what good men most prize. In this way they seek to discourage all resolute effort to correct the tendencies to demoralization and corruption, to the end that in the indifference of the general mass of citizens, the compact and trained bands, organized and led by corrupt chiefs, may make an easy capture of the places of power.

It is from a union among these forces, always ready to combine, however widely divided in their political professions, that this city has before been brought almost to the verge of bankruptcy, and may, at no distant period, be brought still nearer to it. It is one of their favorite arts, which they practice with occasional success, to allure to their side, by specious pretenses, men of irreproachable characters and purposes, who allow themselves, by the failure to exercise sufficient caution, to be misled.

It may not be inexpedient for your Excellency to consider whether the present appeal to your authority, under the guise of a concern for the welfare of the City of New York, is in the interest of those who have been instrumental in securing, and are still laboring to preserve, whatever we have of good government, or of those who are seeking to undermine it.

I have now said all which I deem it necessary to say; but in order to meet the technically formal part of the accusations made against me, it will be proper for me to add in conclusion that I am to be understood as interposing the plea of "not guilty" to each and every of the charges and specifications to which the foregoing is a more complete answer.

I am, sir,

Very respectfully,

Your obedient servant,

W. F. HAVEMEYER.

CHARGES MADE TO HIS EXCELLENCY GOVERNOR JOHN A. DIX, BY CERTAIN CITIZENS OF THE CITY OF NEW YORK, AND FILED IN THE MAYOR'S OFFICE, JULY 14, 1874.

To his Excellency JOHN A. DIX,
Governor of the State of New York:

SIR—We, the undersigned, residents and taxpayers of the City of New York, respectfully ask your Excellency to remove from office William F. Havemeyer, Mayor of the City of New York, on the following grounds, viz.:

CHARGE.

That William F. Havemeyer, Mayor of the City of New York, has grossly abused the appointing power, disgraced the high office which he now holds, conducted himself in a manner highly injurious to the interests of the city, thereby bringing himself and his high office into great public contempt.

SPECIFICATION I.

That Wm. F. Havemeyer, while Mayor of the City of New York, did appoint and insist upon the retention in office of men without character, and whose reputations were well known to be of a kind which should have prevented them from receiving any appointment of power or trust at the hands of the Executive.

SPECIFICATION II.

That said William F. Havemeyer, while Mayor of the City of New York, did, prior to the appointment of certain persons as Commissioners of the Board of Police of the Police Department of the City of New York, improperly attempt to control the free action of said Commissioners, and to usurp the functions of said Commissioners, by exacting, or attempting to exact, certain pledges as to the appointment, or retaining in office, of one George W. Matsell as Superintendent of Police, and other pledges as to their official conduct.

SPECIFICATION III.

That it being brought to his notice that certain official delinquencies of omission and commission had occurred in the Board of Charities and Correction, and in the Board of Police, of the City of New York, he failed to institute and take action thereon.

ELWOOD E. THORNE,
133 West Twenty-second street.
H. A. BURR,
44 East Thirty-fourth street.
G. L. SHEARER,
117 East Fifty-fourth street.

REPLY OF HIS HONOR THE MAYOR TO THE FOREGOING CHARGES.

To his Excellency JOHN A. DIX,
Governor of the State of New York:

The undersigned, Mayor of the City of New York, for answer to the charge and specifications of misconduct made against him by Elwood E. Thorne, H. A. Burr and G. L. Shearer, says that he is not guilty of the same, or of either or any part thereof.

And he further says, that inasmuch as the first specification does not name any of the individuals of supposed unfitness for public office whom he is charged with appointing to, or retaining in, office, such specification cannot be further answered than by a general denial, and, he respectfully submits, does not merit serious attention from the Governor.

And he further says, touching the matters alleged in the second specification, that while the same are not true as therein alleged, he has, when about to appoint certain persons as Commissioners of Police in said city, conferred with them in respect to the proper administration of the Police Department, and their views in relation thereto; and has stated to them, among other things, his own high estimate of the merits of George W. Matsell, as a Superintendent of Police, and his own strong wish that he should fill that office; and he supposes that such expression of his views and wishes was not without effect. And the undersigned conceives that, by his action in this particular, he has rendered a very valuable service to the people of the City of New York.

And, by way of further explaining the reasons for his aforesaid conduct, he further says that twice before he has had the honor of holding his present office, and, during those terms, devoted much of his attention to the establishment of an efficient and honest police for this city, and with what he conceives to be a large measure of success; that in these efforts he was greatly aided and strengthened by the said George W. Matsell; and that he thus came to a knowledge of the superior qualifications of that officer, whom he had appointed to the place of Superintendent of Police, and which he continued to hold for the period of twelve years, with high credit to himself and eminent advantage to the people of this city.

That when the undersigned was called upon, during his present term of office, to nominate suitable persons as Police Commissioners, he believed the administration of the Police Department to be under the corrupting and demoralizing influence of many and great abuses, which needed to be corrected with a firm and vigorous hand, and that George W. Matsell possessed, in an eminent degree, the capacity to so deal with them. The undersigned believed that the fruits of his knowledge and experience in this branch of Municipal government were of value, and that it was his duty to give the benefit of them to those whom he was about to call into this branch of the Municipal service.

And he further says, touching the matter alleged in the third specification, that it is destitute of foundation, inasmuch as in the only instance in which any complaint has been brought to his notice, of any alleged official delinquencies in the Board of Charities and Correction, the undersigned has taken action in respect thereto, and made investigation thereof, and found the same not supported by the facts. A report of which has been submitted to the Governor.

And for further answer the undersigned respectfully refers to the more extended communication recently made by him to his Excellency the Governor, in respect to other charges against his official conduct.

W. F. HAVEMEYER.

BOARD OF ESTIMATE AND APPORTIONMENT.

COMPTROLLER'S OFFICE,
NEW COURT HOUSE,
Thursday, Aug. 6, 1874, 2 o'clock P.M.

The Board met pursuant to the following call:

OFFICE OF THE MAYORALTY,
EXECUTIVE DEPARTMENT, CITY HALL,
NEW YORK, Aug. 4, 1874.

In pursuance of the authority contained in the 112th section of chapter 335, being an act entitled "An Act to reorganize the local government of the City of New York," passed April 30, 1873; and section 1 of chapter 779, being an act entitled "An Act in relation to raising money by taxation, in the County of New York, for county purposes," passed June 14, 1873; and chapter 304, being an act entitled "An Act to consolidate the government of the City and County of New York, and further to regulate the same," passed April 30, 1874; and chapter 303, being an act entitled "An Act in relation to the Estimates and Apportionment for the support of the government of the County of New York," passed April 30, 1874; and chapter 308, being an act entitled "An Act in relation to the Estimates and Apportionment for the support of the government of the City of New York," passed May 1, 1874,—a meeting is hereby called of the Mayor, Comptroller, President of the Board of Aldermen, and the President of the Department of Taxes and Assessments, constituting a Board of Estimate and Apportionment, to be held at the office of the Comptroller, on Thursday, August 6, 1874, at 2 o'clock P.M., for the purposes specified in the requisition of the Comptroller of August 4, 1874.

W. F. HAVEMEYER,
Mayor.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
August 4, 1874.

Hon. WILLIAM F. HAVEMEYER, Mayor:

SIR—Please call a meeting of the Board of Estimate and Apportionment, to be held on Thursday, Aug. 6, 1874, at 2 o'clock P.M., or such other hour as may suit your convenience, for the purpose of authorizing the issue of Fifty thousand dollars of "Assessment Bonds," as authorized by chapter 307, Laws of 1852, and chapter 580, Laws of 1872, and for the transaction of such other business as may come before said Board.

Very respectfully,

ANDREW H. GREEN,
Comptroller.

INDORSED:

Admission of a copy of the within, as served upon us this day, August 4, 1874.

W. F. HAVEMEYER,
Mayor.

ANDREW H. GREEN,
Comptroller.

SAMUEL B. H. VANCE,
President of the Board of Aldermen.

JOHN WHEELER,
President of the Department of
Taxes and Assessments.

Present—All the members, viz.:

William F. Havemeyer, the Mayor of the City of New York; Andrew H. Green, the Comptroller of the City of New York; Samuel B. H. Vance, the President of the Board of Aldermen; John Wheeler, the President of the Department of Taxes and Assessments.

The minutes of the meeting held July 31, 1874, were read and approved.

The Comptroller presented an application from the "Ear Dispensary," asking for an appropriation.

Which was laid over.

The Comptroller presented a communication from John B. Haskin, relating to the matter of Wilkins vs. Board of Education of School District No. 1, of the Town of West Farms.

Which was laid over.

The Comptroller offered for adoption the following resolution:

Resolved, That the sum of nine hundred and sixty-seven dollars and eighty-three cents (\$967.83) is hereby transferred from the appropriation for "Stationery, Law and Blank Books (County), 1872," the same being in excess of the amount required for the purposes and objects thereof, to the appropriation, "Printing Executive Department and Judiciary," 1872, the amount of said appropriation being insufficient.

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

Which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller offered for adoption the following resolution:

Resolved, That the sum of two hundred dollars (\$200) is hereby transferred from the appropriation "Extra Contingencies," for 1873, the same being in excess of the amount required for the purposes and objects thereof, to the appropriation "Contingencies, Comptroller's Office," 1873, the amount of said appropriation being insufficient.

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

Which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller offered for adoption the following resolution:

Resolved, That the sum of eighty-five dollars and sixty-six cents (\$85.66) is hereby transferred from the appropriation for "Stationery, Law, and Blank Books" (County) 1872, the same being in excess of the amount required for the purposes and objects thereof, to the appropriation "Cleaning and Supplies for County Offices," 1872, the amount of said appropriation being insufficient.

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

Which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New

York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller offered for adoption the following resolution:

Resolved, That the sum of fifteen hundred dollars (\$1,500) is hereby transferred from the appropriation for "Contingencies, Department of Public Works," 1873, the same being in excess of the amount required for the purposes and objects thereof, to the same title of appropriation for the year 1872, the same being insufficient.

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

Which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller offered for adoption the following resolution:

Resolved, That the sum of one hundred and twenty-six dollars (\$126.00) is hereby transferred from the appropriation for "Advertising" (County) for 1872, the same being in excess of the amount required for the purposes and objects thereof, to the same title of appropriation for the year 1873, the same being insufficient.

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

Which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller offered for adoption the following resolution:

Resolved, That the sum of seven hundred and ninety-six dollars (\$796) is hereby transferred from the appropriation "Stationery and Blank Books for Commissioners of Taxes and Assessments" (County) for 1871, the same being in excess of the amount required for the purposes and objects thereof, to the appropriation "Armories and Drill-rooms" 1873, the amount of said appropriation being insufficient.

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

Which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller offered the following resolution:

Resolved, That in pursuance of the authority conferred upon the Board of Estimate and Apportionment by section 2 of chapter 308 of the Laws of 1874, the Comptroller be and he is hereby authorized to transfer the whole or any part of any excess of appropriation remaining to the credit of "Salaries—Department of Finance," of any previous year or years, to any insufficient appropriation for the same purpose in any other year or years.

Which was laid over.

The Comptroller presented a communication from the "Commissioners for the Erection of the Court House, Third Judicial District," relating to claims for preliminary work.

Which was laid over.

The Comptroller offered for adoption the following resolution:

Resolved, That in pursuance of the authority conferred upon the Board of Estimate and Apportionment, by provisions of section 112, of chap. 335 of the Laws of 1873, the Comptroller be and he is hereby authorized to issue from time to time, as may be required, and at such rates of interest as he may determine, not exceeding seven per cent. per annum, Assessment Bonds of the City of New York, as authorized by chap. 307, Laws of 1852, and chap. 580, Laws of 1872, Fifty Thousand Dollars, (\$50,000).

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

Which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

On motion, the Board adjourned.

JOHN WHEELER,
Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

DAILY MEETINGS JULY 27 TO AUGUST 1, 1874.

The following communications were received:

From Alms-house, Work-house, Charity, Small-pox, Fever, Bellevue, Reception, and Convalescent Hospitals, Lunatic Asylums, Blackwell's and Ward's Islands, Inebriate Asylum, and Soldiers' Retreat—Reporting daily census of these Institutions. Ordered on file.

From Lunatic Asylums, Blackwell's and Ward's Islands—Transmitting history of patients admitted. Referred to Examining Clerk.

From Alms-house—Amount of labor performed by mechanics (inmates) during week ending July 25, 1874. Ordered on file.

From Lunatic Asylums, Blackwell's and Ward's Islands—Daily report of inmates, and how employed during week ending July 25, 1874. Ordered on file.

From Penitentiary—List of prisoners received during week ending July 25, 1874. Ordered on file.

From Penitentiary—List of prisoners to be discharged from July 27 to August 2, 1874. Transmitted to Prison Association.

From Charity Hospital—Louis P. G. Gouley, M.D., for appointment as Chief of Staff. Ordered on file.

From Store-house—On the protection of buildings, and fire apparatus on Blackwell's Island.

From Hart's Island—Interments in trench, No. 1, July 24, Nos. 110 to 112.

From Free Labor Bureau—Dismissing Female applicants and the cause.

From E. H. Hamill, M.D., Islip—For appointment as Chief of Staff of Charity Hospital.

From Store-house—On being furnished with manure.

From Hart's Island—Not able to obtain body of B. Hynes.

From Lunatic Asylum, Blackwell's Island—For leave of absence of Dr. Green for two weeks. Granted.

From Bellevue Hospital—Austin Flint, Jr., resignation as Visiting Physician. Accepted.

From Hart's Island—John J. Kelly, Keeper, returning to duty after sickness.

From Fire Department—President of, visiting Blackwell's Island to examine fire apparatus.

From Bellevue Hospital—Unknown man from Pier No. 37, North river. Published in CITY RECORD.

From Work-house—Statement of transfers of inmates to other institutions, 328 males, 622 females—950.

From Penitentiary—Certificates of conduct of prisoners. Transmitted to Governor.

From Penitentiary—Reporting barge capsized. Referred to Supervising Engineer.

From Soldiers' Retreat—Death of Peter Gleason, Thirty-ninth Regiment, N. Y. Volunteers.

From Hart's Island—Interments in Trench No. 1, July 27, Nos. 113 to 117.

From School-ship "Mercury"—Telegram, arrival at Newport.

From Alms-house—Death of Mary A. Bliss, admitted March 5, 1872, aged 106 years. Published in CITY RECORD.

From Penitentiary—Death of William Randall, prisoner, at Fever Hospital.

From Charity Hospital—Abandonment of pavilion for Lying-in women. Now treated at Charity Hospital.

From Bellevue Hospital—Unknown man from foot of Sixty-first street, East river. Published in CITY RECORD.

From Gas Works, Blackwell's Island—Consumption of gas during July, 1874. Ordered on file.

From E. W. Burnett, M.D.—For appointment as Chief of Staff of Charity Hospital.

From Charity Hospital—Consumption of liquors during July, 1874. To Medical Inspector.

From Charity Hospital—Attendance of Visiting Physicians and Surgeons during July, 1874.

From Epileptic and Paralytic Hospital—Attendance of Visiting Physicians and Surgeons during July, 1874.

From Medical Board of Bellevue Hospital—Minutes of meeting of July 31, 1874.

From Lunatic Asylum, Ward's Island—Death of George V. Snyder, inmate. Published in CITY RECORD.

From Hart's Island—Interments in Trench No. 1, Nos. 118 to 135, on July 30.

DEPARTMENT OF PUBLIC CHARITIES
AND CORRECTION,
NEW YORK, July 28, 1874.

At a meeting of the Board of Commissioners of Public Charities and Correction, held this day, the following rules were adopted for the government of Bellevue Hospital:

Resolved, That the Medical Board of Bellevue Hospital shall, on the 1st of September, be organized in the manner following, and thereafter the present Board as at present constituted shall cease to exist:

First—On the 1st of September the following named physicians and surgeons shall constitute the Medical Board of Bellevue Hospital:

Dr. Austin Flint, Bellevue College.
Dr. Alonzo Clark, Twenty-third street College.
Dr. Alfred L. Loomis, University College.
Dr. William B. Eager, no school.
Dr. James R. Wood, Bellevue College.
Dr. Henry B. Sands, Twenty-third street College.

Dr. Stephen Smith, University College.
Dr. Ernest Krackowizer, no school.

Second—The members of the Medical Board will, as soon as may be after 1st September, nominate to the Commissioners of Public Charities and Correction, such physicians and surgeons as members of the Medical Board of Bellevue Hospital, as will enable the Commissioners to appoint from the persons so nominated eleven members, in addition to those above named, so that the Medical Board shall consist of nineteen members.

Third—When the Medical Board shall have been constituted of nineteen members, they shall be divided by the Commissioners into three classes. The term of the First Class shall be for three

years, of the Second Class for five years, and of the Third Class for seven years.

The members of each class shall be eligible for reappointment, and all appointments to fill vacancies shall be for seven years.

Fourth—When a vacancy shall occur in the Medical Board, it shall be the duty of that Board to give public notice through one or more medical journals published in the City of New York of such vacancy, and to invite the application of such members of the profession, resident in the City of New York, as may desire to be candidates for appointment.

Fifth—All applications for appointment shall be considered by the Medical Board, and the names of the two candidates, who, in the opinion of the Board, are highest in the order of merits for professional ability, attainment and personal character, shall be selected by ballot, and transmitted to the Commissioners, who will appoint one of the candidates named to the vacancy.

Sixth—The Medical Board will assign the service to its several members, but such service will be continuous throughout the year.

Seventh—The rules and regulations of the Hospital, not inconsistent with the foregoing, will be continued in force.

Eighth—That a pavilion hospital be immediately erected after 1st January, on Blackwell's Island, for a Maternity Hospital, to be administered by a separate Medical Board, organized in like manner to the Bellevue Medical Board.

Ayes—Commissioners Laimbeer, Bowen, Stern.

By Commissioner Bowen—

Resolved, That the Keepers and Guards of the Penitentiary be classified as Keepers, Guards, and Coxswains, from August 1.

Resolved, That the pay of Keepers shall be at the rate of \$2.50 and board for each day's actual service; that of Guards at the rate of \$2 and board for each day's actual service; and that of Coxswains at the rate of \$50 per month and board.

Resolved, That the number of Keepers shall not exceed twenty-five, and the following are hereby appointed to that office:

Samuel Ruth,
Thomas Raywood,
Edward McDonald,
Thomas Reilly,
Patrick Geary,
Thomas Gleason,
Jesse Wood,
William Coughlin,
John H. Woodward,
Michael Gearon,
Michael J. Conley,
James Ryan,
Michael Adams,
Charles Robb,
Michael McKenna,
James Handebote,
Charles Cunningham,
Patrick Feore,
Edward Kennedy,
Michael Kennedy,
Gilbert Dorland,
James Douglass,
James Devine,
Lawrence Hoynes,
William Quinn.

Resolved, That the following shall cease to be Keepers, and are appointed as Guards:

Thomas Lawler,
Thomas Corcoran,
James Merry,
Thomas P. Jones,
Robert H. McKeown,
Jacob Deiner,
Peter Rafferty,
Bartholomew Fitzgerald,
P. H. Robinson,
John Jackman,
James Boyle,
William A. McGann,
George Coleman.

Resolved, That the officers heretofore termed Guards be appointed Coxswains.

Adopted, July 31, 1874.

Ayes—Commissioners Bowen and Stern.

WM. LAIMBEER,
MYER STERN,
JAMES BOWEN,
Commissioners.

HEALTH DEPARTMENT.

HEALTH DEPARTMENT,
NEW YORK, August 4, 1874.

The Board of Health met this day.

Orders.

413 orders for the abatement of nuisances.

Suits for Penalties.

The Attorney was directed to commence suits for non-compliance with the orders of the Board in 118 cases, and for violation of the Sanitary Code in 3 cases.

Reports Received.

From the Sanitary Superintendent:

Weekly report on the operations of the Sanitary Bureau.

Weekly report on contagious diseases.

Weekly report on slaughter-houses.

Weekly report on operations at Receiving Dock.

Weekly report on disinfection of street-gutters, etc.

Monthly report of contagious diseases.

Monthly report of orders modified, etc.

Report on applications for permits.

Report on street pavements, etc.

Report on dangerous condition of building, No. 13 Howard street.

Report on application for relief from certain orders.

Report on sanitary condition of Bleecker street cars.

From the Register of Records:

Weekly mortuary report.

Weekly letter, etc.

In respect to clerical work in Bureau of Vital Statistics.

Communications from City Departments.

From the Police Department:

Weekly report of the Sanitary Co. of Police.

In respect to a joint meeting with this Board upon the subject of the removal of garbage and ashes. Date of meeting—August 11, at 3 o'clock P.M.

From Department of Docks:

In respect to night-soil boat.

From the Comptroller:

Weekly statement.

In respect to paving of streets intersecting Five Points.

From Department of Public Works:

Transmitting maps of sewerage districts.

Bills Audited.

Francis Swift, removing night-soil	\$634 62
" removing dead animals, etc.	288 40
Philo Lewis & Co.	70 13
H. Endermann	61 98
C. Golderman	55 18
T. J. Nealis	26 50
M. Nussbaum	20 00
American Merchants' Union Express Co.	32 00
Joshua Dyson	57 55
Daniel O'Leary	8 00
Daley & Hoare	42 75
Joseph Kuhl	10 35
John Conway	12 00
Patrick Kelly	30 37
Patrick Rahl	26 45
John Kerrigan	12 75
Daniel Schmidt	95 00
Thomas Kelly	85 00
" Davidson	14 85
Allott Lodge	11 79
Pay-roll (Laborers)	211 13

Permits Granted.

To keep 20 chickens at No. 87 Pitt street.
To load beer grains at north side of One Hundred and Sixty-third street and Port Morris Railroad.

Reports referred to other Departments for the necessary action.

To the Department of Public Works:

On street pavement in Clarkson street, between

Carmine and Hudson streets.

On street pavement in front of Nos. 83, 86, and

88 Suffolk street.

On street pavement in East Forty-seventh street,

between First and Second avenues.

On street pavement in front of No. 105 Chrystie

street.

On street pavement in Cherry street, between

Oliver and Catharine streets.

On street pavement in Twenty-first street, be-

tween Fourth avenue and Broadway.

On street pavement in front of No. 428 Second

avenue.

On street pavement in front of Nos. 457 and

459 West Sixteenth street.

On street gutter in front of No. 383 Bowery.

On blind drain, between One Hundred and

Forty-ninth street and Southern Boulevard, near

Robbins avenue.

On drainage of land bounded by One Hundred

and Thirty-fourth and One Hundred and Thirty-

fifth streets, Madison and Fourth avenues.

To the Department of Buildings:

On dangerous condition of No. 13 Howard

street.

To the Police Department:

On condition of the water-closets at No. 301

Mott street.

Communications Received.

From M. B. Early, M.D., application for ap-

pointment.

From Sigismund Davidson, application for re-

appointment.

From Dr. A. F. Liatard, in respect to his

power and duty under section 121 of the Sanitary

Code.

From W. J. Harrison, application for appoint-

ment.

Petition from citizens in respect to driving cattle

through Ninety-second street.

From M. K. Brady, in respect to suit for viola-

tion of order.

Plan for the removal of ashes and garbage.

Referred to the Sanitary Commission.

Leave of Absence.

Granted to Inspector Hall for one month, on

account of sickness.

Sanitary Bureau.

The following is a record of the work performed

in the Sanitary Bureau for the week ending Au-

gust 1, 1874:

The number of inspections made by the Sani-

tary and Assistant Sanitary Inspectors was 2,051,

as follows:

2 public buildings, 877 tenement houses, 173

private dwellings, 121 other dwellings, 48 manu-

factories and workshops, 31 stores and warehouses,

79 stables, 1 smoke-house, 32 slaughter-houses,

13 fat-rendering establishments, 3 breweries, 1

gut-cleaning establishment, 9 public sewers and

drains, 69 sunken and vacant lots, 1 dangerous

building, 2 dumping-grounds, 84 yards, courts,

and areas, 52 cellars and basements, 49 water-

pipes and drains, 230 privies and water-closets,

112 streets, gutters, and sidewalks, 10 dangerous

stairways, 19 cisterns and cesspools, 23 other

nuisances, together with 10 visits of the Sanitary

Inspectors to cases of contagious disease.

The number of reports thereon received from

the Sanitary and Assistant Sanitary Inspectors was

881.

During the past week 78 complaints were

received from citizens and referred to the Inspec-

tors for investigation and report.

The Disinfecting Corps have visited 51 premises where contagious diseases were found, and have disinfected and fumigated 41 houses, 41 privy-sinks, together with clothing, bedding, etc.

In addition to the regular work performed, the Disinfecting Corps have disinfected 143 miles of street-gutters in the following Wards: Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, Eleventh, Thirteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, and Twenty-second. They have disinfected 272 privies and water-closets, 44 yards, courts, and areas, and 24 cellars and basements. Washington, Fulton, Catharine, and Spring street Markets were also disinfected.

Seven cases of small-pox were removed to the Hospital, and 2 dead bodies to the Morgue, by the Ambulance Corps.

Permits were granted consignees of 75 vessels to discharge cargoes, on vouchers from the Health Officer of the Port.

194 permits were granted scavengers to empty, clean and disinfect privy sinks.

EMMONS CLARK,
Secretary.

DEPARTMENT OF BUILDINGS.

NEW YORK, Aug. 3, 1874.

The following comprises the operations of the Department of Buildings for the week ending August 1, 1874.

W. W. ADAMS,
Superintendent of Buildings.

BUREAU OF INSPECTION OF BUILDINGS.

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

New Buildings.

No. of plans and specifications filed and examined	5
No. of buildings embraced in same	6
Classified as follows:	
Second-class dwellings	2
Tenements	2
Stables	1
Frame buildings (in Westchester District)	1
Total	6

Plans approved, including those previously filed	6
Plans amended and approved	3
Plans disapproved	1
Total	10

Altered Buildings.

No. of plans and specifications filed and examined	19
No. of buildings embraced in same	19
Classified as follows:	
First-class dwellings	2
Second-class dwellings	4
Tenements	7
Second-class stores	1
Manufactories and workshops	3
Stables	1
Frame buildings	1
Total	19
Buildings examined, and plans relating thereto, passed upon, including those previously filed	29
Approved	18
Amended and approved	2
Disapproved	1
Pending	8
Total	29

Special Applications.

No. filed, examined, and passed upon	30
Approved	14
Amended and approved	1
Disapproved	3
Pending	12
Total	30

ROBERT MCGINNIS,
Chief of Bureau.

BUREAU OF VIOLATIONS AND APPLICATIONS.

Operations for the week ending August 1, 1874:

Complaints received from outside sources	19
Violations of the law reported	25
" " removed	18
Unsafe buildings reported	32
" " made safe	30
" " taken down	0
Surveys held on unsafe buildings	0
Violation cases sent to the Attorney for prosecution	0
Unsafe building cases sent to the Attorney for prosecution	5
Violation notices served	34
Unsafe building notices served	65
Buildings surveyed as to general condition	337

The classification of the unsafe buildings reported is as follows:

Unsafe walls	12
" chimneys	12
" framework	2
" awning	1
" gutter	1
" generally	1
" ceiling	1
" stoop	1
" stairs	1
Total	32

ANDREW OWENS,
Chief of Bureau.

BUREAU OF FIRE-ESCAPES AND IRON WORK.

Abstract of operations during the week ending August 1, 1874:

Buildings reported for fire-escapes	39
Fire-escapes provided	19
Arch girders tested (approved, 4; not approved, 1)	5
Iron beams " (all approved)	13
Iron lintels " (approved, 9; not approved, 2)	11
Notices for fire-escapes served	29
Cases sent to the Attorney for prosecution	65

CHAS. K. HYDE,
Chief of Bureau.

Bills Incurred.

1874.	
July—J. Winterbottom & Co.	\$30 00
" D'Arcy Brothers—Putting up and repairing awnings, etc.	28 00
June and July—T. Donaldson—Office expenses and sundries	32 50

ORDINANCES, RESOLUTIONS, &c., &c.,

PASSED BY BOTH BRANCHES OF THE

COMMON COUNCIL

AND

APPROVED BY THE MAYOR,

DURING THE WEEK ENDING AUGUST 1, 1874.

Resolved, That Joshua W. Crosby and Louis Beckhardt be and they are hereby appointed as Commissioners of Deeds in and for the City and County of New York, in the places, respectively, of Francis H. Taylor and John Woods, whose terms of office have expired.

Adopted by the Board of Aldermen, July 10, 1874.

Adopted by the Board of Assistant Aldermen, July 27, 1874.

Approved by the Mayor, July 30, 1874.

Resolved, That Richard Seybold be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place and stead of Charles Schneider, whose term has expired.

Adopted by the Board of Aldermen, July 21, 1874.

Adopted by the Board of Assistant Aldermen, July 27, 1874.

Approved by the Mayor, July 30, 1874.

Resolved, That Edward H. Fletcher be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Edward C. Ripley, whose term of office has expired.

Adopted by the Board of Aldermen, July 21, 1874.

Adopted by the Board of Assistant Aldermen, July 27, 1874.

Approved by the Mayor, July 30, 1874.

Resolved, That permission be and the same is hereby given to Messrs. Birch, Wambold & Backus to erect two ornamental lamps in front of their premises, No. 1195 Broadway, the gas to be supplied by their own meter, and the work to be done at their own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, July 21, 1874.

Adopted by the Board of Assistant Aldermen, July 27, 1874.

Approved by the Mayor, July 30, 1874.

Resolved, That permission be and the same is hereby given to Louis Gerhken to place a watering-trough in front of his premises, situated on the northwest corner of Spring and Thompson streets, at his own expense and under the direction of the Commissioner of Public Works; and such permission hereby given to remain only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, July 21, 1874.

Adopted by the Board of Assistant Aldermen, July 27, 1874.

Approved by the Mayor, July 30, 1874.

Resolved, That permission be and hereby is given to Mary A. Dubois, First Directress of the Nursery and Child's Hospital, to release that portion of land contained in a perpetual lease, made by the City of New York, to the said Nursery and Child's Hospital, described on a map or diagram accompanying a petition of the said Mary A. Dubois, being the northeast corner of Fifth street and Lexington avenue, twenty-three feet three inches on Fifth street, and thirty-four feet eleven inches on Lexington avenue. The said release shall not impair, alter or affect in any wise the lease now existing between the City of New York and the said Nursery and Child's Hospital.

Adopted by the Board of Aldermen, July 21, 1874.

Adopted by the Board of Assistant Aldermen, July 27, 1874.

Approved by the Mayor, July 30, 1874.

DIRECTORY

OF THE

COMMON COUNCIL.

BOARD OF ALDERMEN.

- Samuel B. H. Vance, 206 West 23d street.
- Oliver P. C. Billings, 143 East 34th street.
- Jenkins Van Schaick, 1 University place.
- Stephen V. R. Cooper, 218 West 31st street.
- John Falconer, 208 East 15th street.
- George Koch, 628 Lexington avenue.
- Peter Kehr, 50 Seventh avenue.
- Robert McCafferty, 838 Lexington avenue.
- Oswald Ottendorfer, 7 East 17th street.
- Edward Gilon, 557 Hudson street.
- Patrick Lysaght, 27 City Hall place.
- Richard Flanagan, 312 West 22d street.
- John Reilly, 314 East 14th street.
- John J. Morris, 117 West 21st street.
- Joseph A. Monheimer, 233 East 31st street.

SAMUEL B. H. VANCE, President.

JOSEPH C. PINCKNEY, Clerk, 27 Stuyvesant street.

STANDING COMMITTEES.

ARTS AND SCIENCES, INCLUDING PUBLIC INSTRUCTION.—Aldermen Billings, Monheimer, and Reilly.
FERRIES.—Aldermen Falconer, Cooper, and Lysaght.
FINANCE.—Aldermen Van Schaick, Gilon, Kehr, Morris, and Ottendorfer.
LANDS AND PLACES.—Aldermen McCafferty, Koch, and Flanagan.
LAW DEPARTMENT.—Aldermen Cooper, Billings, and Flanagan.
MARKETS.—Aldermen Morris, Kehr, and Lysaght.
PRINTING AND ADVERTISING.—Aldermen Kehr, Ottendorfer, and Falconer.
PUBLIC WORKS.—Aldermen Koch, Morris, and Gilon.
RAILROADS.—Aldermen Billings, Van Schaick, and Ottendorfer.
REPAIRS AND SUPPLIES.—Aldermen Kehr, Cooper, and Flanagan.

ROADS.—Aldermen Cooper, Gilon, and Reilly.
SALARIES AND OFFICES.—Aldermen Ottendorfer, Koch, and McCafferty.
STREETS.—Aldermen Monheimer, Billings, and McCafferty.
STREET PAVEMENTS.—Aldermen Falconer, Monheimer, and Van Schaick.

BOARD ASSISTANT ALDERMEN.

- Thomas Foley, 18 West street.
- Jeremiah Murphy, 45 Cherry street.
- Charles M. Clancy, 167 Mott street.
- John C. Keating, 333 Cherry street.
- Henry Wisser, 151 Prince street.
- Michael Healy, 19 Ridge street.
- Thos. L. Thornell, 169 West 12th street.
- John Theiss, 223 Bowery.
- George F. Codington, 62 Perry street.
- Joseph P. Strack, 179 Third street.
- William S. Kreps, 354 West 27th street.
- Patrick Keenan, 217 Lewis street.
- William Wade, 144 West 21st street.
- John J. Kehoe, 138 First avenue.
- Edward Brucks, 422 West 30th street.
- George Kelly, 318 West 20th street.
- Stephen N. Simonson, 305 West 48th street.
- Philip Cumisky, 552 First avenue.
- Henry A. Linden, 68th st., bet. 10th and 11th aves.
- Isaac Sommers, 165 East 62d street.
- Benjamin Beyea, 131st street near 4th avenue.

JOSEPH P. STRACK, President.

W. H. MOLONEY, Clerk.

STANDING COMMITTEES.

ARTS AND SCIENCES.—Assistant Aldermen Cumisky, Murphy, and Codington.
DONATIONS.—Assistant Aldermen Sommers, Wisser, and Wade.
FERRIES.—Assistant Aldermen Healy, Kehoe, and Theiss.
FINANCE.—Assistant Aldermen Clancy, Sommers, and Wade.
LAMPS AND GAS.—Assistant Aldermen Foley, Beyea, and Brucks.
LAW DEPARTMENT.—Assistant Aldermen Clancy, Keenan, and Thornell.
MARKETS.—Assistant Aldermen Kelly, Kehoe, Keating, oley, and Beyea.
NATIONAL AFFAIRS.—Assistant Aldermen Theiss, Murphy, Cumisky, Simonson, and Codington.
ORDINANCES.—Assistant Aldermen Wisser, Kehoe, and Sommers.
PRINTING AND ADVERTISING.—Assistant Aldermen Keating, Kreps, Beyea, Sommers, and Theiss.
PUBLIC HEALTH.—Assistant Aldermen Theiss, Wisser, and Cumisky.
PUBLIC BUILDINGS.—Assistant Aldermen Keenan, Murphy, and Wisser.
PUBLIC WORKS.—Assistant Aldermen Sommers, Keating, and Kreps.
RAILROADS.—Assistant Aldermen Healy, Keenan, Linden, Cumisky, and Theiss.
ROADS.—Assistant Aldermen Cumisky, Thornell, and Brucks.
SALARIES AND OFFICES.—Assistant Aldermen Brucks, Kehoe, and Wisser.
SEWERS.—Assistant Aldermen Kelly, Wade, and Wisser.
STREETS.—Assistant Aldermen Brucks, Theiss, and Linden.
STREET PAVEMENTS.—Assistant Aldermen Foley, Sommers, and Simonson.
JOINT COMMITTEE ON ACCOUNTS.—Assistant Aldermen Sommers, Keenan, and Linden.

OFFICIAL DIRECTORY.

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

EXECUTIVE DEPARTMENT.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

Central Office, No. 66 Third Avenue, 8 A. M. to 5 P. M.
 Out Door Poor Department, No. 66 Third Avenue, always open; entrance on Eleventh street.
 Free Labor Bureau, Nos. 8 and 10 Clinton place, 8 A. M. to 5 P. M.
 Reception Hospital, City Hall Park, northeast corner, always open.
 Reception Hospital, Ninety-ninth street and Tenth Avenue, always open.
 Bellevue Hospital, foot of Twenty-sixth street, East River, always open.

FIRE DEPARTMENT.

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

HEALTH DEPARTMENT.

NO. 301 MOTT STREET.
 Commissioners' Office, 9 A. M. to 4 P. M.
 Sanitary Superintendent, always open.
 Register of Records, for granting burial permits, on all days of the week, except Sunday, from 7 A. M. to 6 P. M. and on Sundays from 8 A. M. to 5 P. M.

DEPARTMENT OF PUBLIC PARKS.

Commissioner's Office, 36 Union Sq., 9 A. M. to 5 P. M.

DEPARTMENT OF DOCKS.

Commissioner's Office, 346 and 348 Broadway, corner Leonard street, 9 A. M. to 4 P. M.

DEPARTMENT OF TAXES AND ASSESSMENTS.

Commissioners' Office, brown stone building, City Hall Park, 32 Chambers street, 9 A. M. to 4 P. M.; on Saturday, 9 A. M. to 3 P. M.
 Surveyor's Bureau, 19 Chatham street, 9 A. M. to 4 P. M.
 Board of Assessors.

DEPARTMENT OF BUILDINGS.

Superintendent's Office, 2 Fourth Avenue, 9 A. M. to 4 P. M.

BOARD OF EXCISE.

Commissioners' Office, 299 Mulberry st., 9 A. M. to 4 P. M.

BOARD OF EDUCATION.

CORNER GRAND AND ELM STREETS.
 Office of the Board, 9 A. M. to 4 P. M.
 Superintendent of Schools, 9 A. M. to 5 P. M.

COMMISSIONERS OF ACCOUNTS.

Office, No. 32 Chambers street (basement).

COMMISSIONERS OF EMIGRATION

CASTLE GARDEN.
 Commissioners' Office, 9 A. M. to 5 P. M.
 Superintendent's Office, 9 A. M. to 5 P. M.

THE CITY RECORD.

Office, No. 2, City Hall, northwest corner, basement, 8 A. M. to 6 P. M.

MISCELLANEOUS OFFICES.

HOURS, 9 A. M. to 4 P. M.
 Coroners' Office, 40 East Houston street.
 Sheriff's Office, first floor, northeast corner of New Court-house.
 County Clerk's Office, first floor, southwest corner of New Court-house.
 Surrogate's Office, first floor southeast corner of New Court-house.
 Register's Office, Hall of Records, City Hall Park.
 District Attorney's Office, second floor, Old Court-house, 32 Chambers street, 9 A. M. to 5 P. M.

COMMISSIONER OF JURORS.

Commissioner's Office, New County Court-house, 9 A. M. to 4 P. M.

COURTS

SUPREME COURT.
 General Term, Special Term, Chambers, Circuit Part I, Circuit Part II, second floor, New Court-house, 10 A. M. to 3 P. M.

SUPERIOR COURT.

Part I, Part II, Third floor, New Court-house, 11 A. M. to 4 P. M.
 Clerks' Office, Third floor, New Court-house, 9 A. M. to 4 P. M.

COMMON PLEAS

Third floor, New Court-house, 9 A. M. to 4 P. M.
 GENERAL SESSIONS.
 No. 32 Chambers street, 10 A. M. to 4 P. M.
 Clerk's Office, 32 Chambers street, room 14, 10 A. M. to 4 P. M.

OVER AND TERMINER.

General Term, Special Term, No. 32 Chambers street, room 11, 10 A. M.

MARINE COURT.

General Term, room 17; Special Term, room 15; Chambers, room 18; 10 A. M. to 3 P. M. Clerk's Office, room 19, 9 A. M. to 4 P. M. No. 32 Chambers street.

SPECIAL SESSIONS.

At Tombs, corner Franklin and Centre streets, Tuesdays, Thursdays, and Saturdays, 10 A. M.

JUSTICES' (OR DISTRICT) COURTS.

First District—First, Second, Third, and Fifth Wards, southwest corner of Centre and Chambers streets, 10 A. M. to 4 P. M.

Second District—Fourth, Sixth and Fourteenth Wards, No. 514 Pearl street, 9 A. M. to 4 P. M.

Third District—Eighth, Ninth and Fifteenth Wards, No. 12 Greenwich Avenue, 9 A. M. to 4 P. M.

Fourth District—Tenth and Seventeenth Wards, No. 163 East Houston street, 9 A. M. to 4 P. M.

Fifth District—Seventh, Eleventh and Thirteenth Wards, No. 154 Clinton street, 9 A. M. to 4 P. M.

Sixth District—

Seventh District—Nineteenth and Twenty-second Wards, Fifty-seventh street, between Third and Lexington avenues, 9 A. M. to 4 P. M.

Eighth District—Sixteenth and Twentieth Wards, southwest corner Twenty-second street and Seventh Avenue, 930: A. M. to 4 P. M.

Ninth District—Twelfth Ward, No. 2374 Fourth Avenue, 9 A. M. to 4 P. M.

Tenth District—Twenty-third and Twenty-fourth Wards, northeast corner of Third Avenue and Southern Boulevard, Harlem Bridge, 9 A. M. to 4 P. M.

POLICE COURTS.

First District—Fourteenth, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, and portion of Sanitary Precinct, Tombs, corner Franklin and Centre streets, 7 A. M. to 3 P. M.

Second District—Eighth, Ninth, Fifteenth, Sixteenth, Twentieth, Twenty-fifth, Thirty-third, Twenty-eighth, and Twenty-ninth Precincts, Greenwich Avenue, corner of Tenth street, 9 A. M. to 6 P. M.

Third District—Seventh, Tenth, Eleventh, Thirteenth, Seventeenth, Eighteenth, and portion of Sanitary Precinct, No. 69 Essex street, 8 A. M. to 4 P. M.

Fourth District—Nineteenth, Twenty-first, Twenty-second, Twenty-third and Nineteenth Sub-station, Fifty-seventh street, between Third and Lexington avenues, 8 A. M. to 5 P. M.

Fifth District—Twelfth Ward, No. 2374 Fourth Avenue (Harlem), 8 A. M. to 4 P. M.

POLICE DEPARTMENT.

POLICE DEPARTMENT OF THE CITY OF NEW YORK,
 NO. 300 MULBERRY STREET,
 NEW YORK, July 30, 1874.

SEALED PROPOSALS WILL BE RECEIVED at the Bureau of Elections, until 10 o'clock A. M., on the 11th day of August next, for making two hundred and fifty ballot-boxes; material to be thoroughly seasoned, and in all respects equal to sample on exhibition at the Bureau of Elections.

D. B. HASBROUCK,
 Chief of the Bureau of Elections.

CENTRAL DEPARTMENT OF THE MUNICIPAL POLICE,
 300 MULBERRY STREET,
 PROPERTY CLERK'S OFFICE, ROOM 39,
 NEW YORK, July 14, 1874.

OWNERS WANTED BY THE PROPERTY Clerk, 300 Mulberry street, room 39, for the following property now in his custody without claimants—4 gross harness rings, seven revolvers, three silver watches, four coats, three pairs pants, lot furniture, opera glass, small boiler and pipe, money found in street.

C. A. ST. JOHN,
 Property Clerk.

FIRE DEPARTMENT.

FIRE DEPARTMENT, CITY OF NEW YORK,
 127 AND 129 MERCER STREET,
 NEW YORK, August 7, 1874.

SEALED PROPOSALS FOR THE ERECTION OF an Engine-house for this Department, on a lot situated on the north side of Sixty-seventh street, near the Third Avenue, will be received at these headquarters until ten o'clock A. M., August 10th, 1874, at which time the bids will be publicly opened and read.

Two responsible sureties, residents of this city, will be required with each proposal, who must justify in double the amount of the bid. Proposals will not be considered unless sureties are named.

Proposals must be indorsed "Proposal for the erection of a building on Sixty-seventh street."

Blank proposals and information will be furnished upon application at these headquarters.

The Commissioners reserve the right to reject any or all of the proposals submitted.

JOSEPH L. PERLEY,
 ROSWELL D. HATCH,
 CORNELIUS VAN COTT,
 Commissioners.

FIRE DEPARTMENT,
 NOS. 125 AND 129 MERCER STREET,
 NEW YORK, August 6, 1874.

TO CONTRACTORS.

PROPOSALS FOR BUILDING A STEAM FIRE PROPELLOR.

SEALED PROPOSALS FOR BUILDING A STEAM Fire Propellor, endorsed as above, will be received at the office of the Fire Department, until 10 o'clock A. M., of August 19, 1874, at which time the bids will be publicly opened and read. The award of the contract will be made as soon as practicable after the opening of the bids.

The time allowed for doing the work is ninety (90) days from the date of signing the contract.

Any bidder for this contract must be known to be well prepared for the business, and must have satisfactory testimonials to that effect, and also shall give security for the faithful performance of his contract, in the manner prescribed and required by ordinance.

Bidders are required to state in their proposals their names and places of residence; also that the bid is made without any connection with any other person making any estimate for the same work; and that it is in all respects fair, and without collusion or fraud; and also that no member of the Common Council, Head of a Department, Chief of a Bureau, Deputy thereof, or Clerk therein, or other officer of the Corporation, is directly or indirectly interested therein, or in the supplies or work to which it relates, or in any portion of the profits thereof; which proposals must be verified by the oath, in writing, of the party making the estimate, that the several matters stated therein are in all respects true. Where more than one person is interested, it is requisite that the verification be made and subscribed by all the parties interested.

Each proposal shall be accompanied by the consent, in writing, of two householders or freeholders of the City of New York, who must justify in double the amount of the bid, with their respective places of business or residence, to the effect that if the contract be awarded to the person making the bid, they will, on its being so awarded, become bound as his sureties for its faithful performance; and that if he shall omit or refuse to execute the same, they will pay to the Corporation any difference between the sum to which he would be entitled on its completion, and that which the Corporation may be obliged to pay to any higher bidder to whom the contract may be awarded at any subsequent letting; the consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, taken before a Judge of any Court of Record in this county, that each is a householder, or freeholder in the City of New York, and is worth the amount of the security required for the above work, over and above all his debts of every nature, and over and above his liabilities as bail, surety or otherwise; and that he has offered himself as a surety in good faith. The adequacy and sufficiency of the sureties offered to be approved by the Comptroller of the City of New York.

Bidders will write out the amount of their estimate in addition to inserting the same in figures.

The bid will be understood to cover all expenses necessary for the complete fulfillment of the contract.

Should the lowest bidder or bidders neglect or refuse to accept this contract within forty-eight (48) hours after written notice that the same has been awarded to his or their bid, he or they shall be considered as having abandoned it, and as in default to the Corporation; and this contract will be re-advertised and re-let, and so on until it be accepted and executed.

Bidders are informed that no deviation from the specifications will be allowed, unless under the written instructions of the Commissioners of the Fire Department.

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

Plans and specifications may be seen, and blank proposals furnished, upon application at the Headquarters of the Fire Department.

JOSEPH L. PERLEY,
 ROSWELL D. HATCH,
 CORNELIUS VAN COTT,
 Commissioners of the Fire Department.

FIRE DEPARTMENT, CITY OF NEW YORK,
 127 AND 129 MERCER STREET,
 NEW YORK, July 18, 1874.

SEALED PROPOSALS FOR FURNISHING THIS Department with 15,000 feet of Fire Hose, to be used for fire purposes in the City of New York, with couplings attached, with the New York Thread, will be received at these headquarters until 10 o'clock A. M., August 19, 1874, at which time the bids will be publicly opened and read.

The hose will be required to stand a test of three hundred pounds pressure to the square inch, without contracting under that pressure more than eighteen inches to the fifty feet, nor to make more than one revolution under the pressure above named.

Two responsible sureties, residents of this city, will be required with each proposal, who must justify in double the amount of the bid. Proposals will not be considered unless sureties are named.

Proposals must be indorsed "Proposals for furnishing Fire Hose."

Blank proposals and information will be furnished upon application at these headquarters.

The Commissioners reserve the right to reject any or all of the proposals submitted.

JOSEPH L. PERLEY,
 ROSWELL D. HATCH,
 CORNELIUS VAN COTT,
 Commissioners.

FIRE DEPARTMENT, CITY OF NEW YORK,
 127 AND 129 MERCER STREET,
 NEW YORK, AUG. 6, 1874.

SEALED PROPOSALS FOR FURNISHING THIS Department with the following articles, to wit:

335,000 lbs. of Hay, of the quality and standard known as good sweet Timothy.

74,000 lbs. of good clean Straw.

2,900 bags of White Oats, 80 lbs. to the bag.

1,800 bags of Fine Feed, 60 lbs. to the bag.

All of which is to be delivered to the various Company quarters from time to time, and in such quantities as the Department may require, will be received at these headquarters until 10 o'clock A. M., August 19, 1874, at which time the bids will be publicly opened and read.

Two responsible sureties, residents of this city, will be required with each proposal, who must justify in double the amount of the bid. Proposals will not be considered unless sureties are named.

Proposals must be indorsed, "Proposals for furnishing Forage."

Blank proposals and information will be furnished upon application at these headquarters.

The Commissioners reserve the right to reject any or all of the proposals submitted.

JOSEPH L. PERLEY,
 ROSWELL D. HATCH,
 CORNELIUS VAN COTT,
 Commissioners.

FIRE DEPARTMENT, CITY OF NEW YORK,
 127 AND 129 MERCER STREET,
 NEW YORK, August 6, 1874.

SEALED PROPOSALS FOR FURNISHING THIS Department with the following articles, to wit:

300 tons of the best hand picked English Cannel Coal.

500 " " Furnace Coal.

300 " " Egg Coal.

300 " " Stove Coal.

100 cords of the best quality Virginia Pine Wood, to be cut once, all of which is to be delivered to the various Companies and Fuel Depots as required from time to time by this Department, will be received at these headquarters until 10 o'clock A. M., August 19, 1874, at which time the bids will be publicly opened and read.

Two responsible sureties, residents of this city, will be required with each proposal, who must justify in double the amount of the bid. Proposals will not be considered unless sureties are named.

Proposals must be indorsed, "Proposals for furnishing Fuel."

Blank proposals and information will be furnished upon application at these headquarters.

The Commissioners reserve the right to reject any or all of the proposals submitted.

JOSEPH L. PERLEY,
 ROSWELL D. HATCH,
 CORNELIUS VAN COTT,
 Commissioners.

DEPARTMENT PUBLIC WORKS.

DEPARTMENT OF PUBLIC WORKS,
 Commissioners' Office, 19 City Hall.

CONSUMERS OF CROTON WATER ARE hereby notified that the water rents for 1874 are now due, and are payable at the office of the Water Register, Room No. 10, City Hall, from 10 A. M. to 4 P. M. each day. A penalty will be added to all water rents remaining unpaid on the 1st of August.

GEO. M. VAN NORT,
 Commissioner of Public Works

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
 NO. 66 THIRD AVENUE,
 NEW YORK, August 7, 1874.

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

At Morgue, from foot of One Hundred and Fortieth street, North river, August 6, 1874—Unknown man, about 35 years of age, 5 feet 8 inches high, stout build, sandy hair, bald on top of head, mustache. Had on white and black check pants, dark vest, white shirt, white cotton drawers and socks, black necktie with white spots, gaiter shoes.

By Order, JOSHUA PHILLIPS,
 Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
 NO. 66 THIRD AVENUE,
 NEW YORK, AUG. 6, 1874.

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

At New York City Asylum for the Insane, Ward's Island, August 4, 1874—Thomas Watterson, born in United States; 35 years of age; 5 feet 9 inches high; brown hair; blue eyes. Had on light cloth cap (marked inside T. Watson), light cloth pants, black sack coat, black frock overcoat, and white shirt. No person been to visit him, nor could any information be obtained of his relatives or friends. No effects.

By Order, JOSHUA PHILLIPS,
 Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
 NO. 66 THIRD AVENUE,
 NEW YORK, AUGUST 4, 1874.

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

At Morgue, from Wall Street Ferry, August 3, 1874—Unknown man, age about 38 years, 5 feet 8 inches high, blue eyes, sandy moustache, dark side whiskers (small) turning gray. Had on white shirt, black pants, gaiter shoes, gray woolen socks tipped with white; no coat, vest, or hat.

By Order, JOSHUA PHILLIPS,
 Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
 NO. 66 THIRD AVENUE,
 NEW YORK, AUGUST 4, 1874.

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

At Morgue, from Twentieth Precinct Police Station, August 3, 1874—Unknown man, age about 40 years, 5 feet 8 inches high, light blue eyes, gray chin whiskers, trimmed short, black curly hair. Had on jean pants, striped cotton shirt, and white cotton shirts, black cloth vest, black cloth frock coat, and laced shoes. Found on his person, trust marked 38.

Unknown woman from Pier No. 3, North river, August 3, 1874, age about 30, 5 feet high. Had on striped calico dress, striped calico undershirt, and laced shoes. Body too much decomposed to be placed in Morgue.

By Order, JOSHUA PHILLIPS,
 Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
 NO. 66 THIRD AVENUE,
 NEW YORK, August 4, 1874.

PROPOSALS FOR PAVILIONS ON RANDALL'S AND BLACKWELL'S ISLANDS.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 2 o'clock P. M. of the 15th instant, for the construction of one wooden pavilion on Randall's Island, 168 feet long and 28 feet wide, and two pavilions on Blackwell's Island, similar in all respects to the pavilion of same dimensions on Blackwell's Island.

Parties proposing for the above can receive all information on application at this office.

WM. LAIMBEER,
 JAMES BOWEN,
 MYER STERN,
 Commissioners.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
 NO. 66 THIRD AVENUE,
 NEW YORK, August 4, 1874.

PROPOSALS FOR ELEVATOR AT BELLEVUE HOSPITAL.

PROPOSALS, SEALED AND INDORSED AS above, will be received by the Commissioners of Public Charities and Correction, at their office, until 2 o'clock P. M. of the 15th instant, for an Elevator at Bellevue Hospital.

Parties proposing for the above can receive all information on application at this office.

WILLIAM LAIMBEER,
 JAMES BOWEN,
 MYER STERN,
 Commissioners.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
 NO. 66 THIRD AVENUE,
 NEW YORK, August 1, 1874.

IN ACCORDANCE WITH THE ORDINANCE of the Common Council "In relation to the burial of strangers and unknown persons who may die in any of the public institutions of the City of New York," the Commissioners of Public Charities and Correction report as follows: At New York City Asylum for the Insane, Ward's Island, July 31, 1874—George V. Snyder, admitted 18th July, 1874; born in Germany; 41 years of age; 5 feet 5 inches high; brown hair; gray eyes. Had on black frock coat, light cotton pants, white shirt, knit undershirt, and black soft hat. No effects, and no person has visited him or any information obtained as to his friends.

By order, JOSHUA PHILLIPS,
 Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
 Corner of Third Avenue and Eleventh Street,
 NEW YORK, July 31, 1874.

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

At Incurable Hospital, Blackwell's Island, July 30, 1874—Mary A. Bliss, admitted March 5, 1872; age, 106 years; native of Germany; widow. No friends ever visited her, and did not inform that she had any.

At Morgue, from foot of East Sixty-first street, July 29, 1874—Unknown man, about forty years of age; five feet nine inches high; no hair or beard. Had on dark woolen pants, corded black vest, brown woolen shirt, gray knit drawers, gray woolen socks, and shoes. Body too much decomposed to be placed in Morgue.

By order, JOSHUA PHILLIPS,
 Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
 NO. 66 THIRD AVENUE,
 NEW YORK, July 29, 1874.

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

At Morgue, from Pier 37, East river, July 28, 1874—Unknown woman; age, about 40 years; 5 feet high; dark brown hair; had on green and black plaid dress, purple and white plaid shawl, quilted petticoat, white cotton stockings, and shoes nearly new. Found on person, brown scapular, fastened round neck.

By order, JOSHUA PHILLIPS,
 Secretary.

OFFICE OF THE COMMISSIONERS

FOR THE

Erection of the Court-house in Third Judicial District OF THE CITY OF NEW YORK.

233 BROADWAY, ROOM 7,
 August 5, 1874.

PROPOSALS FOR MASON'S AND BRICKLAYER'S work and for stonecutter's work of a Court-house, Bell-tower and Prison building, to be erected in the Third Judicial District of the City of New York, on Sixth Avenue, Greenwich Avenue and West Tenth street.

Separate proposals in sealed envelopes will be received at the office of the Commissioners, 233 Broadway, Room 7, until Tuesday, the eighteenth day of August, 1874,

SUPREME COURT.

In the matter of the application of the Department of Public Works, for and on behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to the opening of One Hundred and Fifty-first street, from the westerly line of Ninth avenue to the Hudson river, in the City of New York.

PURSUANT TO THE STATUTES OF THE State of New York in such case made and provided, the Department of Public Works, for and on behalf of the Mayor, Aldermen, and Commonalty of the City of New York, hereby give notice that the Counsel to the Corporation of said city will apply to the Supreme Court of 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 New County Court-house, in the City of New York, on Monday, the twenty-fourth day of August, A. D. 1874, at eleven o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter.

The nature and extent of the improvement hereby intended is the opening of One Hundred and Fifty-first street, from the westerly line of Ninth avenue to the Hudson river, as said street is laid out on a certain map of the City of New York, executed and signed by the Commissioners of Streets and Roads in said city, under an act of the Legislature, passed April 5, 1867, and filed in the office of the Commissioner of the Department of Public Works, April 1, A. D. 1871.

New York, July 30, 1874.

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

In the matter of the application of the Department of Public Works, for and on behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to the opening of Inwood street, from the westerly line of Kingsbridge road to the Hudson river, in the City of New York.

PURSUANT TO THE STATUTES OF THE State of New York, in such case made and provided, the Department of Public Works, for and on behalf of the Mayor, Aldermen, and Commonalty of 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 New County Court-house, in the City of New York, on Monday, the twenty-fourth day of August, A. D. 1874, at eleven o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter.

The nature and extent of the improvement hereby intended is the opening of Inwood street, from the westerly line of Kingsbridge road to the Hudson river, as said street is laid out on a certain map of the City of New York, executed and signed by the Commissioners of Streets and Roads in said city, under an act of the Legislature, passed April 5, 1867, and filed in the office of the Commissioner of the Department of Public Works, April 1, A. D. 1871.

New York, July 30, 1874.

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

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

PURSUANT TO THE STATUTES OF THE State of New York, in such case made and provided, the Department of Public Works, for and on behalf of the Mayor, Aldermen, and Commonalty of 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 New County Court-house, in the City of New York, on Monday, the twenty-fourth day of August, A. D. 1874, at eleven o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter.

The nature and extent of the improvement hereby intended is the opening of One Hundred and Tenth street, from the easterly line of Second avenue to the Harlem river, as laid out on a certain map of the City of New York, executed and signed by the Commissioners of Streets and Roads, in the City of New York, under an act of the Legislature, passed April 5, 1867, and filed in the office of the Commissioner of the Department of Public Works, on the first day of April, A. D. 1871.

Dated New York, July 30, 1874.

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

In the matter of the application of the Department of Public Works, for and on behalf of the Mayor, Aldermen, and Commonalty of the City of New York, relative to the opening of One Hundredth street, from the westerly line of the Bloomingdale road to the easterly line of Riverside avenue, in the City of New York.

PURSUANT TO THE STATUTES OF THE State of New York in such case made and provided, the Department of Public Works, for and on behalf of the Mayor, Aldermen, and Commonalty of 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 new County Court-house in the City of New York, on Monday, the twenty-fourth day of August, A. D. 1874, at eleven o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter.

The nature and extent of the improvement hereby intended is the opening of One Hundredth street, from the westerly line of the Bloomingdale road to the easterly line of Riverside avenue, as said street is laid out on a certain map of the City of New York, executed and signed by the Commissioners of Streets and Roads in said city under an act of the Legislature passed April 5, 1867, and filed in the office of the Commissioner of Public Works, April 1, 1871.

New York, July 30, 1874.

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

LEGISLATIVE DEPARTMENT.

OFFICE OF CLERK OF THE BOARD OF ALDERMEN AND SUPERVISORS, No. 8 City Hall,
NEW YORK, June 3, 1874.

PUBLIC NOTICE IS HEREBY GIVEN TO ALL persons having claims against the County of New York, that such claims cannot now be audited by the Board of Supervisors, but must be presented directly to the Department of Finance for payment.

Also, that all bills pending before said Board, or its Committees, have been transmitted to the Department aforesaid for action thereon.

JOSEPH C. PINCKNEY,
Clerk of the Board of Aldermen and Supervisors.

THE CITY RECORD.

COPIES OF THE CITY RECORD CAN BE OBTAINED AT NO. 2 CITY HALL (northwest corner) basement. Price three cents each.

CORPORATION NOTICES.

NOTICE IS HEREBY GIVEN THAT THE following Assessment Lists have been received by the Board of Assessors from the Commissioner of Public Works:

Persons interested are requested to call and examine the same.

No. 1. For curb and gutter and flagging Madison avenue, east side, from Sixty-third to Sixty-fourth street.

No. 2. Curb and flagging west side Tenth avenue, between Forty-sixth and Forty-seventh streets.

No. 3. Flagging east side Lexington avenue, between Thirty-sixth and Thirty-seventh streets.

No. 4. Flagging north side Thirty-sixth street, between Lexington and Third avenues.

No. 5. Sewer in Eleventh avenue, between Fifth and Tenth avenues.

No. 6. Sewers in Lewis street, between Sixth and Eighth streets.

The limits to be assessed are embraced as follows, viz.:

No. 1. The property known as Ward Nos. 21 and 52.

No. 2. The property known as Ward No. 32.

No. 3. The property known as Ward Nos. 2859 to 2864, inclusive.

No. 4. The property known as Ward Nos. 2868 to 2871, inclusive.

No. 5. Both sides of Fifth street, between Tenth and Eleventh avenues, and east side of Eleventh avenue, between Fifth and First streets.

No. 6. Both sides of Lewis street, between Sixth and Eighth streets.

THOMAS B. ASTEN,
Chairman.

OFFICE OF THE BOARD OF ASSESSORS,
No. 19 CHATHAM STREET,
NEW YORK, Aug. 6, 1874.

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

No. 1. For regulating, grading, curb, gutter, and flagging Seventy-fifth street, between Eighth and Tenth avenues.

No. 2. For regulating, grading, curb, gutter, and flagging Sixty-eighth street, from Eighth avenue to the Hudson river.

No. 3. For Flagging East Seventy-eighth street, between Third and Fifth avenues.

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

No. 1. Both sides of Seventy-fifth street, between Eighth and Tenth avenues.

No. 2. Both sides of Sixty-eighth street, from Eighth avenue to the Hudson river, to the extent of one-half the block at intersection of Eleventh avenue.

No. 3. Both sides of East Seventy-eighth street, between Third and Fifth avenues.

All persons whose interests are affected by the above-named assessments, and who are opposed to the same, or either of them, are requested to present their objections in writing to Thomas B. Asten, Chairman of the Board of Assessors, at their office, No. 19 Chatham street, within thirty days from the date of this notice.

THOMAS B. ASTEN,
JOHN MCHARG,
MUNSON H. TREADWELL,
VALENTINE S. WOODRUFF,
Board of Assessors.

OFFICE, BOARD OF ASSESSORS,
NEW YORK, August 6, 1874.

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

No. 1. For laying Belgian pavement in One Hundred and Twenty-fifth street, from Harlem river to Manhattan street, and Manhattan street, from One Hundred and Twenty-fifth street to North river.

No. 2. For building sewer in Sixty-seventh street, between Ninth and Tenth avenues.

No. 3. For building underground drains in Sixty-second and Sixty-eighth streets, and between Eighth and Ninth avenues.

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

No. 1. Both sides of One Hundred and Twenty-fifth street, from Harlem river to Manhattan street, and both sides of Manhattan street, from One Hundred and Twenty-fifth street to Hudson river, to the extent of one-half the block at the intersecting streets.

No. 2. Both sides of Sixty-seventh street, between Eighth avenue and Public Drive, both sides of Sixty-ninth street, between Eighth and Ninth avenues, both sides of Ninth avenue, between Sixty-sixth and Seventieth streets, and both sides of Public Drive, between Sixty-seventh and Sixty-ninth streets.

No. 3. The property bounded by Sixty-second and Sixty-eighth streets, and between Eighth avenue and Boulevard.

All persons whose interests are affected by the above-named assessments, and who are opposed to the same, or either of them, are requested to present their objections in writing to Thomas B. Asten, Chairman of the Board of Assessors, at their office, No. 19 Chatham street, within thirty days from the date of this notice.

THOMAS B. ASTEN,
JOHN MCHARG,
MUNSON H. TREADWELL,
VALENTINE S. WOODRUFF,
Board of Assessors.

OFFICE, BOARD OF ASSESSORS,
NEW YORK, July 17, 1874.

NOTICE IS HEREBY GIVEN THAT THE following Assessment Lists have been received by the Board of Assessors from the Commissioner of Public Works:

Persons interested are requested to call and examine the same.

No. 1. For sewer in Manhattan street, between Twelfth and St. Nicholas avenues.

No. 2. For regulating and grading, curb and gutter, and flagging Eighty-fourth street, from Boulevard to River Drive.

No. 3. For regulating and grading, curb and gutter, and flagging Twenty-fourth street, from Eleventh avenue to Hudson river.

The limits to be assessed are embraced as follows, viz.:

No. 1. The property bounded by One Hundred and Fifth street, and One Hundred and Thirty-seventh and Manhattan streets, between Seventh and Claremont avenues.

No. 2. Both sides of Eighty-fourth street, between Boulevard and River Drive, to the extent of one-half the block at the intersecting streets.

No. 3. Both sides of Twenty-fourth street, between Eleventh and Thirteenth avenues, to the extent of one-half the block at the intersecting streets.

THOMAS B. ASTEN,
Chairman.

OFFICE, BOARD OF ASSESSORS,
NEW YORK, July 17, 1874.

NOTICE IS HEREBY GIVEN THAT THE following Assessment Lists have been received by the Board of Assessors from the Commissioner of Public Works:

Persons interested are requested to call and examine the same.

No. 1. For sewer in Manhattan street, between Twelfth and St. Nicholas avenues.

No. 2. For regulating and grading, curb and gutter, and flagging Eighty-fourth street, from Boulevard to River Drive.

No. 3. For regulating and grading, curb and gutter, and flagging Twenty-fourth street, from Eleventh avenue to Hudson river.

The limits to be assessed are embraced as follows, viz.:

No. 1. The property bounded by One Hundred and Fifth street, and One Hundred and Thirty-seventh and Manhattan streets, between Seventh and Claremont avenues.

No. 2. Both sides of Eighty-fourth street, between Boulevard and River Drive, to the extent of one-half the block at the intersecting streets.

No. 3. Both sides of Twenty-fourth street, between Eleventh and Thirteenth avenues, to the extent of one-half the block at the intersecting streets.

THOMAS B. ASTEN,
Chairman.

OFFICE, BOARD OF ASSESSORS,
NEW YORK, July 17, 1874.

NOTICE IS HEREBY GIVEN THAT THE following Assessment Lists have been received by the Board of Assessors from the Commissioner of Public Works:

Persons interested are requested to call and examine the same.

No. 1. For sewer in Manhattan street, between Twelfth and St. Nicholas avenues.

No. 2. For regulating and grading, curb and gutter, and flagging Eighty-fourth street, from Boulevard to River Drive.

No. 3. For regulating and grading, curb and gutter, and flagging Twenty-fourth street, from Eleventh avenue to Hudson river.

The limits to be assessed are embraced as follows, viz.:

No. 1. The property bounded by One Hundred and Fifth street, and One Hundred and Thirty-seventh and Manhattan streets, between Seventh and Claremont avenues.

No. 2. Both sides of Eighty-fourth street, between Boulevard and River Drive, to the extent of one-half the block at the intersecting streets.

No. 3. Both sides of Twenty-fourth street, between Eleventh and Thirteenth avenues, to the extent of one-half the block at the intersecting streets.

THOMAS B. ASTEN,
Chairman.

OFFICE, BOARD OF ASSESSORS,
NEW YORK, July 17, 1874.

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

No. 1. For regulating, grading, setting curb and gutter, and flagging One Hundred and Thirty-eighth street, between Boulevard and Twelfth avenue.

No. 2. For regulating and grading, setting curb and gutter, and flagging Sixty-eighth street, between Third and Fourth avenues.

No. 3. For setting curb and gutter in Fifty-seventh street, from Eleventh avenue to North river.

No. 4. For flagging Fifty-seventh street, from Sixth to Eighth avenues.

No. 5. For flagging Fifty-seventh street, from Eleventh avenue to North river.

No. 6. For building sewer in Mangin street, between Houston and Stanton streets.

No. 7. For building sewer in Montgomery street, between Henry street and East Broadway.

No. 8. For building basin on the northwest corner of Manhattan street and Broadway.

No. 9. For building underground drains between Ninety-sixth and One Hundred and Eleventh streets, and between Tenth and Eleventh avenues.

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

No. 1. Both sides of One Hundred and Thirty-eighth street, between Boulevard and Twelfth avenue.

No. 2. Both sides of Sixty-eighth street, between Third and Fourth avenues.

No. 3. Both sides of Fifty-seventh street, between Eleventh avenue and North river.

No. 4. Both sides of Fifty-seventh street, between Eleventh avenue and North river.

No. 5. Both sides of Fifty-seventh street, between Eleventh avenue and North river.

No. 6. The east side of Mangin street, between Stanton and Houston streets, and the property known as Ward Nos. 401 to 406 inclusive, and 224.

No. 7. Both sides of Montgomery street, between Henry street and East Broadway, except the southeast corner of East Broadway and Montgomery street.

No. 8. The property known as Ward Nos. 4 to 13 inclusive.

No. 9. The blocks bounded by Ninety-sixth and One Hundredth streets, and Eleventh avenue and Boulevard, and the blocks bounded by One Hundred and First and One Hundred and Eleventh streets, and Tenth avenue and Boulevard.

All persons whose interests are affected by the above-named assessments, and who are opposed to the same, or either of them, are requested to present their objections in writing to Thomas B. Asten, Chairman of the Board of Assessors, at their office, No. 19 Chatham street, within thirty days from the date of this notice.

THOMAS B. ASTEN,
JOHN MCHARG,
MUNSON H. TREADWELL,
VALENTINE S. WOODRUFF,
Board of Assessors.

OFFICE, BOARD OF ASSESSORS,
NEW YORK, July 30, 1874.

FINANCE DEPARTMENT.

DEPARTMENT OF FINANCE,
BUREAU FOR THE COLLECTION OF ASSESSMENTS,
ROTUNDA, COURT-HOUSE,
NEW YORK, July 2, 1874.

NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED JUNE 16, 1874.

Outlet Sewer in Eightieth street, from Hudson river to Road, to Eighty-first street, to Tenth avenue, to Eighty-third street, to Ninth avenue, to Eighty-eighth street, to Eighth avenue.

WITH BRANCHES IN NINTH AVENUE TO NINETY-SECOND STREET.

All payments made on the above assessment on or before September 1, 1874, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven 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.

DEPARTMENT OF FINANCE,
BUREAU FOR THE COLLECTION OF ASSESSMENTS,
ROTUNDA, COURT-HOUSE,
NEW YORK, June 8, 1874.

NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED APRIL 29, 1874.

Opening Elyeneth avenue, from Fifty-ninth street to the Boulevard.

All payments made on the above assessment on or before the 8th day of August next, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven 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.

BUREAU FOR THE COLLECTION OF ASSESSMENTS,
ROTUNDA, COURT-HOUSE,
NEW YORK, June 20, 1874.

NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED JUNE 16, 1874.

Sewers in First avenue, between Third and Sixth streets, and between Ninth and Tenth streets.

Sewer in Cannon street, between Grand and Broome streets.

Sewers in One Hundred and Eleventh and One Hundred and Twelfth streets, between First avenue and Avenue A.

Sewer in Avenue A, between One Hundred and Twentieth and One Hundred and Twenty-third streets, with branch in One Hundred and Twenty-third street.

Paving with stone blocks on Fifty-seventh street, from Sixth to Eighth avenue.

All payments made on or before August 21, 1874, on the above assessments, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven 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.

BUREAU FOR THE COLLECTION OF ASSESSMENTS,
ROTUNDA, COURT-HOUSE,
NEW YORK, July 29, 1874.

NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED JULY 21, 1874.

Paving with stone-blocks, Seventy-seventh street, from Third to Madison avenue.

Paving with stone-blocks, Seventy-fourth street, from Third to Fifth avenue.

Paving with stone-blocks, Eighty-sixth street, from Third to Fifth avenue.

Paving with stone-blocks, Sixty-ninth street, from Third to Fifth avenue.

Regulating and grading Seventy-ninth street, between Ninth and Tenth avenues.

Regulating and grading, setting curb and gutter, and flagging One Hundred and Twelfth street, from Second avenue to Harlem river.

Basin on the southwest corner of Beekman and South streets.

Basin on the northwest corner of Beekman and South streets.

Basin on the northwest corner of Fifty-first street and Sixth avenue.

Basin on the northwest corner of One Hundred and Twenty-ninth street and Third avenue.

Underground drains between Sixty-sixth and Sixty-seventh streets, and between Fifth and Madison avenues.

Underground drains between Seventy-seventh and Eighty-eighth streets, and between Ninth avenue and Hudson river.

All payments made on the above assessments on or before the 28th day of September, 1874, 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 5 P. M. for general information.

SPENCER KIRBY,
Collector of Assessments.

BUREAU FOR THE COLLECTION OF ASSESSMENTS,
ROTUNDA, COURT-HOUSE,
NEW YORK, June 23, 1874.

NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED MAY 28, 1874.

Opening Ninety-fourth street, from Eighth avenue to New Road, and from Twelfth avenue to the Hudson River.

Opening Ninety-fifth street, from Eighth avenue to New Road, and from Twelfth avenue to the Hudson River.

All payments made on the above assessments on or before August 22, 1874, will be exempt (according to law) from interest. After that date interest will be charged at the rate of 7 per cent. from the date of confirmation.