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LAW DEPARTMENT.

The following opinions constitute a portion of the proceedings of the Law Department for the week ending August 16th, 1873:

LAW DEPARTMENT,
OFFICE OF COUNSEL TO THE CORPORATION,
August 14th, 1873.

Hon. William Laimbeer, President Department of Public Charities and Correction:

SIR—The Counsel to the Corporation duly received your letter of the 8th instant, asking his instructions as to the forms necessary to be observed in carrying out the following provisions of section 91 of the charter of 1873, viz.:

“And all such contracts when given shall be given to the lowest bidder, the terms of whose contracts shall be settled by the Counsel to the Corporation, as an act of preliminary specification to the bid or proposal, and who shall give security for the faithful performance of the contract, and in the manner prescribed and required by ordinance; and the adequacy and sufficiency of this security shall, in addition to the justification and acknowledgement, be approved by the Comptroller.”

The last clause of section 119, of the charter of 1873, provides, that “the ordinances of the Common Council of the City of New York, in force April 1st, 1870, and all ordinances passed and adopted since May 1st, 1870, and in force at the time of the passage of this act are hereby revived and continued in full force as city ordinances subject to modification, amendment or repeal by the Common Council of said city.”

Article 2, of Chapter 7, of the revised ordinances of 1866, contains very full provisions as to the forms to be observed by all heads of departments, in reference to the making of contracts and those provisions, except in cases where they have become obsolete, on account of changes in the organization of the government of the city, and in cases where they are in conflict with existing laws, should be carefully complied with.

The clause in Section 91, of the Charter, to which you particularly refer in your letter, requiring that the terms of all contracts shall be settled by the Counsel to the Corporation as an act of preliminary specification to the bids or proposal, is identical with provisions contained in section 38 of the charter of 1857, and section 104 of the charter of 1870. The evident intent of the Legislature has been, that the exact terms of every contract should be settled by the Counsel to the Corporation, before bids or proposals were received, or at any rate, before the day named in the advertisement for the examination of the specifications, so that bidders might know in advance precisely what contracts they would be required to execute. This is the view of the provision in question which has been heretofore taken by this department, and is in accordance with the uniform practice of those departments, of which the Counsel to the Corporation was the regular legal adviser, prior to the passage of the charter of 1873. In all cases in which a great number of contracts of the same class are to be made, after the form has been once settled by the Counsel to the Corporation, the Department making the contracts should procure printed blanks, and the approval as to form of all contracts drawn up on such blanks will then be a matter of course. In all other cases, where special contracts are required, the Counsel to the Corporation, upon being furnished with the requisite information,

will prepare the same with as little delay as possible.

I am, sir, yours very respectfully,
GEORGE P. ANDREWS,
Assistant Counsel to the Corporation.

LAW DEPARTMENT,
OFFICE OF COUNSEL TO THE CORPORATION,
August 11th, 1873.
William Irwin, Esq., Secretary Department of Public Parks:

SIR—Your letter to the Counsel to the Corporation of the 8th inst., with its enclosures, asking his opinion upon various points connected with the awarding of contracts, was duly received.

You inquire whether the Department has the right, under existing laws, to reject all bids made in pursuance of public advertisements, and award the contract to none of the bidders.

Section 1, of chapter 308, of the laws of 1861, provides as follows:

“All contracts by or on behalf of the Mayor, Aldermen and Commonalty of the city of New York, shall be awarded to the lowest bidder for the same respectively, with adequate security, and every such contract shall be deemed confirmed in and to such lowest bidder, at the time of the opening of the bids, estimates or proposals therefor, and such contract shall be forthwith duly executed in the name of said Mayor, Aldermen and Commonalty, by the head of the Department having cognizance thereof, with such lowest bidder.”

This provision, so far as I am aware, has never been repealed, and the Department cannot, therefore, lawfully reject all bids, but must award the contract to the lowest bidder whose bid in other respects is made in conformity with the laws and ordinances now in force.

You inquire further whether the Department can reject any, and if so, which of the bids contained in the statement transmitted with your letter.

The irregularities in reference to the first and third bids are so manifest that I have no doubt that it is the right and duty of the Department to reject both of them. It has been judicially determined that the failure of a bidder to name sureties as required by the ordinances of the Common Council, is a defect of substance which renders the bid wholly null.

Russ vs. the Mayor, &c.
12 Legal Observer, 38.

Unless there is some other irregularity in reference to the second bid than that stated by you, I see no grounds upon which it can be rejected.

The third inquiry made by you is whether it is legal to receive proposals at the office of the Department after the hour publicly named for the closing of bids, and what course should be pursued in regard to the same.

I do not think that the Department has the right to receive such proposals.

The ordinances provide that advertisements for bids shall (among other things) require that the person making the bid shall furnish the same in a sealed envelope to the head of the appropriate Department at his office, on or before a day and hour therein named. It would, therefore, be clearly irregular to receive bids after the hour mentioned in the advertisement for closing the same, and I think they should be laid aside unopened or returned to the parties offering them.

In this connection I would respectfully call your attention to the fact that the ordinances require that advertisements for bids shall state that the bids received will be publicly opened by the head of the Department issuing the advertisement, at his office, at a day and hour therein mentioned.

I am, sir, yours very respectfully,
GEORGE P. ANDREWS,
Assistant Counsel to the Corporation.

DEPARTMENT OF FINANCE.

August 14, 1873.

REMOVALS.

Aug. 12, 1873.—Andrew Lestrangle, cartman for the removal of ashes, &c., from the public markets.

Aug. 13, 1873.—Peter Reynolds, sweeper at Jefferson market.

APPOINTMENTS.

Aug. 13, 1873.—Hugh McCann, cartman for the removal of ashes, &c., from the public markets.

Aug. 14, 1873.—Robert Grace, sweeper at Jefferson market.

AND. H. GREEN,
Comptroller.

POLICE DEPARTMENT.

The Board of Police met on the 12th day of August, 1873. Present—Messrs. Smith, Gardner and Russell, Commissioners.

Bills Referred to the Finance Committee.

A. M. Burroughs.....	\$55 00
K. Krenkel.....	2 50
K. Krenkel.....	202 50
P. Woods & Bro.....	3,094 56
R. C. Brown.....	7 25
McKune & Sutton.....	10 30
Harlem Gas Co.....	193 50

Parades Allowed.

Brewster's Employes—funeral.
Ninth Ward Guard—pic-nic.
Wallhalla Lodge—funeral.
J. J. Blair Association—procession.
First German Baptist Church—pic-nic.
St. Patrick Mutual Alliance—funeral.

Rewards—Allowed under the Rule.

Patrolman J. J. McCarthy, Eighteenth precinct, \$10.
Roundsmen Curran, Nineteenth precinct, \$5.
Surgeons bills were referred to Finance Committee.

Leaves of Absence granted.

Sergeant Carpenter, Twenty-eighth precinct, half-day.
Captain Hedden, Thirtieth precinct, half-day.
Sergeant Haggerty, Fifteenth precinct, half-day.
Patrolman H. A. Fillett, Twenty-fifth precinct, one day without pay.
Patrolman Ely, San. Co., two days without pay.
Patrolman John Breen, Eleventh precinct, half-day without pay.
Patrolman C. Watson, Eighth precinct, three days without pay.
Patrolman R. Gauley, First precinct, two days without pay.
Patrolman J. Dunn, Twenty-seventh precinct, half-day without pay.
Patrolman Jas. McCarthy, Twenty-seventh precinct, half-day without pay.
Patrolman Pat. Downes, Twenty-seventh precinct, one day without pay.
Patrolman P. Pendergast, Twenty-seventh precinct, one day without pay.
Patrolman M. Ryan, Twenty-seventh precinct, one day without pay.
Patrolman P. J. Barry, Sixth precinct, half-day without pay.
Patrolman P. Colohan, Sixth precinct, half-day without pay.
Patrolman J. A. Golls, Fifteenth precinct, two days without pay.
Patrolman C. Watson, Eighth precinct, half-day without pay.
Patrolman M. W. Cortright, Twenty-fifth precinct, six days without pay.
Patrolman P. W. Ginley, Twenty-first precinct, half-day without pay.
Patrolman P. H. Lyons, Twenty-fifth precinct, one day without pay.
Patrolman O. Haley, Twenty-fifth precinct, one day without pay.
Patrolman J. E. Sparrow, Twenty-fifth precinct, two weeks, sick leave.
Patrolman Jno. Dunn, Sixth precinct, ten days, sick leave.

Resolved, That the request of “The Gold and Stock Telegraph Co.,” to connect their office with the Central Department be granted; the work to be done under the direction of the Superintendent of Police Telegraph.

Communication from the Health Department, being notice of the revokal of contract with the Long Island Bone Laboratory Co. On file.

Transfers Ordered.

Patrolman Thomas Reynolds, from Fifteenth to Eighth precinct.
Patrolman Jno. T. Disbrow, from Fifteenth to Second precinct.
Patrolman Jas. O'Shea, from Twenty-ninth to Fifteenth precinct.
Patrolman Wm. H. Breakall, from Twenty-ninth to Fifth precinct.
Patrolman Thomas Kearney, from Eighth to Twenty-ninth precinct.
Patrolman John Kenna, from Eighth to Twenty-eighth precinct.
Patrolman Charles Schick, from Fifth to Twenty-first precinct.
Patrolman Francis Seaver, from Twenty-first to Seventeenth precinct.
Patrolman Hugh McCauley, from Tenth to Twenty-seventh precinct.

Fines Imposed.

Patrolman Wm. Lahey, Second precinct, two days pay.
Patrolman Jno. J. Herrick, Second precinct, two days pay.
Patrolman Jno. Dunn, Second precinct, five days pay.
Patrolman Julius Ferber, Second precinct, two days pay.
Patrolman Philip McSherry, Second precinct, five days pay.
Patrolman Bart. Murphy, Second precinct, three days pay.
Patrolman Thomas Ryan, Fourth precinct, two days pay.
Patrolman Amil Back, Fifth precinct, two days pay.
Patrolman Patrick Masterson, Fifth precinct, two days pay.
Patrolman August Alberts, Fifth precinct, two days pay.
Patrolman Nicholas A. Ryckman, Fifth precinct, two days pay.
Patrolman Thomas Murphy, Sixth precinct, two days pay.
Patrolman Jacob Schwarz, Seventh precinct, two days pay.
Patrolman John T. Cuff, Seventh precinct, two days pay.
Patrolman Robert H. Ellis, Seventh precinct, two days pay.
Patrolman Edward F. Sweeney, Eighth precinct, two days pay.
Patrolman Charles A. Martin, Eighth precinct, two days pay.
Patrolman John J. Munson, Ninth precinct, one day pay.
Patrolman Jos. McKeown, Twelfth precinct, five days pay.
Patrolman William Sinclair, Twelfth precinct, three days pay.
Patrolman John Layden, Fourteenth precinct, two days pay.
Patrolman Jas. Killkeny, Fifteenth precinct, two days pay.
Patrolman John Jerfies, Fifteenth precinct, two days pay.

Patrolman Cornelius O'Brien, Seventeenth precinct, three days pay.
Patrolman Jas. A. McCovey, Eighteenth precinct, three days pay.
Patrolman Charles J. Sheehy, Eighteenth precinct, one days pay.
Patrolman Charles J. Sheehy, Eighteenth precinct, five days pay.
Patrolman Hugh Mee, Nineteenth precinct, three days pay.
Patrolman Thomas J. Kerr, Twentieth precinct, two days pay.
Patrolman Louis Van Cook, Twentieth precinct, two days pay.
Patrolman Patrick F. Waters, Twentieth Precinct, one days pay.
Patrolman Lewis Delamater, Twenty-second precinct, two days pay.
Patrolman George D. Shaw, Twenty-eighth precinct, two days pay.
Patrolman Wm. Wright, Twenty-ninth precinct, three days pay.
Patrolman Wm. H. Breakall, Twenty-ninth precinct, three days pay.
Patrolman Henry Dyer, Fifth precinct, three days pay.
Patrolman John Maher, Eighth precinct, two days pay.
Patrolman Pat'k J. Ronnan, Eleventh precinct, three days pay.
Patrolman John Baker, Fourteenth precinct, two days pay.
Patrolman John McLaughlin, Nineteenth precinct, three days pay.
Patrolman Thos. Powers, Twenty-second precinct, two days pay.
Patrolman Jno. M. Howell, Twenty-eighth precinct, two days pay.
Patrolman Jos B. Henderson, Twenty-eighth precinct, two days pay.

Complaints Dismissed.

Patrolman Edmund Ryan, Second precinct.
Patrolman Chas. Dunleavy, Second Precinct.
Patrolman Thos. O'Donnell, Sixth precinct.
Patrolman Peter M. Cairns, Seventh precinct.
Patrolman Patrick Fullam, Eighth precinct.
Patrolman Mich'l Coleman, Thirteenth precinct.
Patrolman Jno. Gallagher (No. 2), Fourteenth precinct.
Patrolman Ja's McKenna, Fourteenth precinct.
Patrolman Thos. Reynolds, Fifteenth precinct.
Patrolman Cornelius Reed, Seventeenth precinct.
Patrolman Martin Stepper, Seventeenth precinct.
Patrolman Frank Hanly, Seventeenth precinct.
Patrolman Bernard Meehan, Nineteenth precinct.
Patrolman Elijah L. Austin, Twenty-second precinct.
Patrolman Jacob W. Dyckman, Twenty-fifth precinct.

STREET CLEANING.

Bill referred to Finance Committee.

Judd Oil Company,.....\$22 35.
Resolved, That ten colored men, with a “gang man,” also colored, be employed in the 14th ward, as street sweepers.
Application of John Stripp, to be appointed Inspector of Dumps—Referred to the Committee on Street Cleaning.
A resolution of the Health Department calling attention to filthy condition of 43d street, between 2d and 3d avenues, was referred to the Inspector of street cleaning.
Reports of arrests for violation of Health Ordinances were ordered to be transmitted to the Board of Health.
Adjourned.

S. C. HAWLEY,
Chief Clerk.

HEALTH DEPARTMENT.

HEALTH DEPARTMENT,
NEW YORK, August 12, 1873,
No. 301 Mott street.

The Board of Health met this day.

Orders.

Two hundred and fifty orders for the abatement of nuisances were made.

Suits for Penalties.

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

Reports Received.

From the Sanitary Superintendent:
On operations of the Sanitary Bureau.
On contagious diseases.
On slaughter-houses.
On condition of the streets.
On unripe, decayed and unwholesome fruit.
On steamer “Algonquin.”
On removal of stands in South street, between Beekman street and Peck slip.
On leaky condition of scavenger's cart.
On operations of the Disinfecting Corps.
On schooner “Experiment.”
On applications for permits.
On condition of certain pavements, &c.
On Catharine and Centre Markets.

From the Attorney:

Monthly report.
From the Register of Records:
Weekly mortuary report.
Weekly letter on the city mortality.

Communications from City Departments.

From the Police Department:
Reports of arrests for violation of the Sanitary Code.
Report of the Captain of Sanitary Company of Police.
From the Department of Docks:
In respect to pier at foot of West Thirty-eighth street.

In respect to dredging at One Hundred and Sixth street, East River.

Reports Referred to Other Departments for the Necessary Action.

To the Board of Police:

On the condition of the streets.

To his Honor, the Mayor.

On scavenger cart, No. 72.

To the Department of Public Works:

On condition of certain street pavements.

Bills audited.

Hester Brothers.....	\$220 00
C. Lamb & Son.....	143 75
Henry Austice & Co.....	7 25
Pay roll of laborers of Sanitary Bureau, for week ending August 9th, 1873.....	184 98
Francis Swift, for removing night soil for week ending August 8th, 1873.....	634 62

Permits Granted.

To slaughter cattle (Lehman, Samuel & Bro.) at Forty-fourth street, 25 feet East of First avenue.

To slaughter cattle (J. M. Seaman) at Forty-fourth street and East river.

To keep nine cows, S.S. Eighty-second street, second house East of Eleventh avenue.

Permits Denied—

(Until the necessary improvements are made.)

To slaughter cattle (Thos. Schwarzchild & Co.) at 399-403 East Forty-fifth street.

To slaughter cattle (Julian Strauss) at 406-408 East Forty-sixth street.

To slaughter cattle (Geo. Strauss) at 402-404 East Forty-sixth street.

To slaughter cattle (Sears, Bro. & Co.) 411 East Forty-fifth street.

Resolutions.

That the Sanitary Superintendent be directed to cause the inspection of occupied cellars north of Houston street to be resumed, with a view to the vacation of those found unfit for habitation, and also cause a re-inspection to be made of all cellars recently vacated south of Houston street, to ascertain if any have been re-occupied.

That the Sanitary Superintendent be directed to cause a survey to be made of the five blocks between Thirty-seventh and Forty-first streets, and Eleventh and Twelfth avenues, and maps to be prepared showing the boundaries of each lot, with the names of the owners, agents, and occupants, and the character of the business conducted upon it.

That the Sanitary Committee be directed to examine all the slaughter houses within the city limits, and report as to the location of each, its capacity, its appointments for yarding, slaughtering and disposing of offal and refuse, and what measures, if any, this Board can take to render the business less offensive, and bring it under more perfect sanitary supervision.

That the reports of the Assistant Sanitary Superintendent in regard to Catharine and Centre markets, New York, be placed on file.

That the premises named in said reports having been, and being in the opinion of the Board, and in fact in a condition and in effect dangerous to life and health, and said Board having taken and filed among its records what it regards as being, and what is sufficient proof to authorize its declaration that the same are a public nuisance and dangerous to life and health, said Board does hereby enter the same on its records as nuisances, and makes in respect thereto the orders necessary to remove the same.

That in case the persons served with the orders duly entered in regard to Catharine and Centre Markets fail to comply with the same on or before Saturday, August 16th, 1873, at 12 o'clock, M., Inspector Gridley be instructed to execute said orders.

Sanitary Bureau.

Record of the Sanitary Bureau for the week ending, August 9th, 1873;

The total number of inspections made by the Sanitary and Assistant Sanitary Inspectors were 1990, as follows, viz:

Two public buildings, 928 tenement houses, 119 private dwellings, 110 other dwellings, 36 manufactories and workshops, 80 stores and warehouses, 93 stables, 47 markets and market places, 25 slaughter houses, 3 gut cleaning establishments, 9 fat melting establishments, 2 cattle yards, 1 lard rendering establishment, 1 brewery, 3 public sewers and drains, 29 sunken and vacant lots, 1 sausage factory, 1 dye establishment, 3 manure dumps, 1 pier and dock, 10 scavenger boats and sheds, 73 yards, courts and areas, 66 cellars and basements, 60 waste pipes and drains, 144 privies and water closets, 116 street gutters and sidewalks, 2 cisterns and cess-pools, 4 dangerous stairways, 2 piggeries, 5 violations of the Sanitary Code, 13 other nuisances, and one visit of Sanitary Inspector to case of contagious disease.

Seven hundred and twenty-one reports were received from the Sanitary and Assistant Sanitary Inspectors.

During the past week one hundred and forty-six complaints were received from citizens, and referred to the Sanitary Inspectors for investigation and report.

Seventy-eight permits have been issued to the consignees of vessels for the discharge of cargoes, on vouchers from the Health Officer of the Port.

The Disinfecting Corps have visited 28 premises where contagious diseases were found, and disinfected and fumigated 22 houses, 22 privy sinks, together with clothing, bedding, etc. One case of small pox was removed to hospital

by the Ambulance Corps. One hundred and seventy-two miles of street gutters, seven hundred and forty-five privies, fifty-three yards and thirty-five cellars were disinfected.

During the week 187 permits were granted to scavengers to empty, clean and disinfect privy vaults.

The following number of cases of contagious diseases were reported for the week ending, August 9th, 1873: Typhoid fever 5, scarlet fever 27, measles 6, diphtheria 27, and small pox 1.

The amount of meat and fish condemned by the officers as unfit for human food, during the week ending August 9th, 1873, was: carcasses of sheep 8, carcasses of hogs 2, carcasses of veal 1, 290 pounds of beef, 72 pounds of mutton, 558 pounds of poultry and 1,530 pounds of fish.

Five hundred and forty-six loads of night soil were removed by night scavengers from the privy vaults of the city.

BUREAU OF VITAL STATISTICS.

During the week ending August 9th, 1873, 739 burial permits for city deaths, 92 burial permits for bodies in transit, and 42 burial permits for still-born infants, were granted; 155 marriages, 485 births, 42 still-births, 92 applications for transit permits, and 50 coroner's certificates were recorded; 33 searches of the records of births, marriages and deaths were made, and 3 transcripts of births, 5 marriages and 27 deaths from said records were issued, and one case was referred to the coroner.

By order of the Board,
EMMONS CLARK,
Secretary.

SANITARY BUREAU,

NEW YORK, Aug. 12th, 1873.

E. H. JANES, M. D., Assistant Sanitary Superintendent, submitted the following report on Centre Market:

"Said premises are bounded by Broome, Grand, Centre Market Place, and Centre street, known as Centre Market, and constitute one of the public markets of the City of New York. It consists of a main building built of brick, and additions on Broome street and Centre Market Place, built partly of brick and partly of wood. On Centre Market Place the wooden structures connected with said market occupy the entire width of the side walk for nearly half the distance from Broome to Grand street. These are immediately connected with the market proper, are occupied for the sale of meats and vegetables, and ventilated by means of doors and windows. On the Centre street front there are several small wooden projections connected with the main building, and built out to the line of the sewer step at the entrance of the building. These do not obstruct the sidewalk, but the external standing wood work of some of them are very filthy, particularly at the ends where the angles formed by the projections and the wall of the main building, have the appearance of being resorted to as public urinals, and the wood is saturated and offensive, and the flagging was found to be soiled with human excrements both liquid and solid. The floor of the extension on Centre Market Place, was found to be very much broken and decayed, resting immediately on the ground, with no under space for the circulation of air, it readily imbibes moisture from the natural dampness of the ground which not only favors decay of the wood, but is detrimental to the health of persons who occupy the floor. A portion of the floor on the Broome street extension was also found to be out of repair apparently from a similar cause. These conditions of the floors and external appendages of the market building, are in my opinion detrimental to health and require some alterations, with a considerable amount of cleaning, disinfecting and repairing. I was informed that a portion of the old floor in Centre Market Place and Broome street is to be taken up, and a new floor to be laid in its place under the direction of the superintendent of markets; an improvement much needed, and which should be made without delay. I would however respectfully recommend that before the new floor is laid, a portion of earth be removed to a depth sufficient to allow the circulation of a current of air beneath the floor. This will prevent the absorption of moisture from the ground, and the consequent rapid decay of the floor. As the external surface of the wooden structure along the sidewalk of Centre Market Place, has become saturated with filth, and interferes with the proper light and ventilation of the main building, I respectfully recommend that the wood work enclosing that portion of the sidewalk be removed, with the exception of the posts which support the roof, and that the market stands be confined to the area within the sidewalk, which should be restored to the use of the public. The wooden structures on the Centre street front, which do not extend beyond the line of the stoop, should be thoroughly cleaned and disinfected, the old and filthy boards should be removed and the structures thoroughly repaired and painted. The small corners formed by these structures and the wall of the main building should be inclosed with suitable railings for the purpose of preventing the continuance of the nuisances now existing. When these places have once been put in a proper condition, I believe they may with proper care be kept so, as cleanliness alone will always command a certain degree of respect even from the vicious and filthy.

I would here add that the untidy condition of this market, instead of being a credit, is a disgrace to the city. In addition to the filthy condition of the woodwork, much of it is covered with posted advertisements, or is generally dilapidated. The substantial brick walls of the main building, are in many places disfigured with posted advertisements, or from other causes are in a filthy condition. Many of the windows are extremely dirty, and others are so broken as to have scarcely an entire pane of glass in the sash. The lathing of the ceiling at the south part of the building is largely exposed and otherwise im-

perfect. All of these defects should be repaired: the semi-circular transom windows should be so arranged as to be easily opened for the purpose of ventilation, and the external walls of the market building should be thoroughly cleaned and painted. These alterations and repairs would transform the market from its present unsightly appearance to a neat and attractive building.

The following are the names of the occupants of the wooden structure around the market.

Centre Market Place, Frederick Graeber, dried fruit, etc., Peter Levitt, eggs, butter and crockery, Mrs. Fisher, hosiery, Charles Shrimpton, fruits and vegetables, James Boylan, fruit and vegetables, Mr. Dengherts, pickles.

Centre street: J. H. Rucy, fish, M. Cassidy, poultry, James Donnelly, provisions, Mary Kiver, vegetables, Jantzen & Brother, meat.

E. H. JANES, M. D.,
Sanitary Superintendent.

SANITARY BUREAU.

NEW YORK, August 12th, 1873.

Assistant Sanitary Superintendent James submits the following report on Catherine market: Said market is known as Catherine market; occupies the middle portion of Catherine slip, from Cherry to South streets, and is divided by Water street into the upper and lower market. The main buildings are of iron, and are so constructed as to allow room for a sidewalk on each side along Catherine slip. On the southwest side of the market buildings the sidewalks adjoining thereto is left unobstructed; but on the northeast side of said buildings the space allowed for a sidewalk is occupied by wooden structures adjoining the main buildings, and extending to the curb stone. On the South street front of the lower market there is also a wooden structure extending ten feet beyond the curb stone, and occupying so much of the carriage way along the market front. This structure is occupied by Cornelius Haggerty, oysters and refreshments, and by Stephen Varney, fruit. The wooden structures adjacent to the lower market building and fronting on Catherine slip, are occupied as follows: Wm. H. Bolton, oysters. In front of this booth on a bridge covering the street gutter, and on the street pavement were a number of barrels and baskets of oysters; also, a coal box and cooking range. 1. Rody Green, oysters; street in front also occupied by barrels and baskets of oysters, cooking range, coal and ice boxes. 2. J. C. Cornell, poultry; street in front was occupied by boxes and poultry crates. 3. John Riely, oysters; street occupied by barrels, baskets of oysters, cooking range, and ice box. 4. James Duffy, vegetables. There are similar wooden structures adjacent to the upper market, and along the entire front from Water to Cherry street, occupied as follows: Jane Hendershott, oysters; T. Murphy, large beer. These sheds, and those adjacent to the lower market, do not communicate with the main building, and therefore they obstruct to some extent the proper light and ventilation of the market; but the sheds between Hendershott and Murphy, at the upper market, communicate with the main building, and are occupied by Edward Kearney for an ice box, Mrs. Clary, vegetables, and Julia Odum, tripe. From the corner of Cherry street to a distance of about sixty feet toward Water street, the sheds are built out about four feet beyond the curb stone, and thus cover the gutter and a portion of the pavement, interfering with the proper cleaning of the same, while the angle formed by the end of this projecting portion, and that portion of the structure on the line of the curb-stone, affords a convenient receptacle for the deposit of filth in different forms. These several wooden structures adjacent to the main market buildings, are, in my opinion, detrimental to health, in that they obstruct the proper ventilation of the market, and thus tend to deteriorate the quality of the food exposed there for sale. I therefore respectfully recommend that the booth fronting on South street, and occupying a portion of the carriage way be removed, as in its present position it interferes with the proper street cleaning of the pavement and gutter; that the sides of the booths occupying the sidewalk on Catherine slip be removed in order that proper amount of light and ventilation may be restored to the market, and the sidewalk be restored to the use of the public; and that the entire portion of the wooden structure which projects beyond the sidewalk over a portion of the carriage way at Cherry street and Catharine slip, including such portion of the roof, be removed. I also recommend that the semicircular transom windows in the main building be made to turn on pivots, or otherwise so arranged as to be easily opened for the purpose of affording additional ventilation whenever it may be required.

E. H. JANES, M. D.,
Assistant Sanitary Superintendent.

HEALTH DEPARTMENT OF THE CITY OF NEW YORK, BUREAU OF VITAL STATISTICS, August 12th, 1873.

SIR—In the week ending on Saturday, the 9th inst., there were 739 deaths reported in the city. During the previous week—ending August 2d—the actual number of deaths was 837, or 98 more than were reported last week. This great gain to human life occurred in young children. Last week there were 340 deaths reported of infants under a year old, and in the preceding week 432, or 92 more than this number of like age, while 607 deaths in children under 5 years of age were reported in that week, and only 487 of like ages last week. The rate of mortality continues steadily to decrease, and in that portion of the population over 2 years of age it continues, as it has been for two months, as low as in almost any other great city in the world. The mortality (304) in that portion of the population last week was less than a death-rate of 16 in 1,000 annually, while, by including the 433 deaths of infants under 2

years of age, the rate would be equal to 38.43 in 1,000 inhabitants yearly.

The daily mortality has quite steadily decreased, though, with a few exceptional days, from the 15th of July, when 157—the greatest number—died. The simple disorders that killed so many infants have resulted only from the usual causes of excessive summer mortality in this class—namely, continued high temperature, foul air, negligence of the natural wants and timely care of infants under 18 months old.

After the closest scrutiny of the causes of death during the past weeks of excessive mortality, nothing in the nature of Asiatic cholera or any epidemic has appeared. The death-rate is again at the standard of the past seven years, and if families will prudently seek the parks, and the thorough cleanliness and ventilation of domestic quarters for their young children, and especially avoid all improper food, the present excess of mortality will quickly cease.

Diarrhoeal maladies were charged with 297 deaths last week, 275 of these deaths being of children 5 years old. This is 49 less than in the previous week by this cause. The map now submitted shows that during three successive weeks this class of deaths has occurred chiefly within the special districts that were pointed out two weeks ago in the same map.

Respectfully submitted,

E. HARRIS, M. D.,
Registrar.

SANITARY BUREAU.

NEW YORK, Aug. 11th, 1873.

Dr. Stephen Smith, Chairman Sanitary Committee:

I beg leave to submit the following report on the condition of the streets and avenues, for the week ending August 9th, compiled from the usual weekly reports of the Inspectors and Assistant Inspectors of this Department:

Inspector Judson (1st, 3d and 5th wards) reports his streets as filthy with street manure, and considers it discreditable that so much street dirt and rubbish are allowed to lie in the streets and gutters, to be ground to powder, in the form of mud and dust.

Inspector Tracy (6th Ward) reports Walker street, from Broadway to Baxter street, dirty with street dirt and garbage. Elizabeth street dirty with street dirt, except in front of Fire Department repair shops. Bayard street, from Bowery to Elizabeth, dirty with street dirt. Mott street, from Pell to Bayard street, dirty with street dirt. Pell street and Doyer street dirty with street dirt. White street, from Broadway to Elm, dirty with street dirt. Elm street, from Canal to Pearl streets, dirty with street dirt and rubbish. Leonard street, from Elm to Centre, dirty with street dirt, garbage and rubbish. Mulberry street, from No. 41 down to Chatham, very dirty, with dirt, garbage and slops. Park street, from Pearl to Mott, dirty with street dirt and garbage. Pearl street, from Park street to Elm street, dirty with street dirt, manure and garbage. The streets in the 6th ward are not as clean as usual. I should say that the sweeping during the past week has not been thorough, even when done.

Assistant Inspector Emerson (7th Ward) found in the early part of the week that Division, Jefferson and Jackson streets contained rubbish and garbage, as did also Cherry, between Gouverneur and Corlears. During the latter part of the week, Cherry, between Catharine and Market, Monroe, between Market and Pike, and the eastern sections of Monroe, Madison and Division, East Broadway, between Pike and Rutgers, and Cherry, between Rutgers and Corlears, were filthy with manure, garbage and slops. The pavement and grading of Corlears street is still unrepaired.

Assistant Inspector Hughes (8th Ward) finds his streets in a tolerably clean condition.

Inspector Morris (9th and 15th Wards) finds his streets in much better condition than the previous week. Several of the streets were very imperfectly cleaned, among the worst of which were West Houston street, between South 5th avenue and Thompson street, and Carmine street, at its junction with Varick.

Inspector Bryant (10th and 13th Wards) reports his district as much dirtier than last week. Mangin street continues in the same condition, containing street filth, garbage, and in front of Nos. 63, 65, 67, 69 and 71, the street gutters and streets contain filth, rubbish and ponded slops and water. Essex street is being improved by the repair of the cobble-stone pavement. Goerck street, from Delancy to Grand streets, contains street dirt and garbage. Division street is dirtier than usual. Hester, Broome and Rivington streets have been imperfectly swept. The Inspector can see no way of keeping the streets clean until the cobble-stone pavement is replaced by something better, and the number of vigorous sweepers increased.

Inspector Munde (11th Ward) reports his streets in fair condition as regards cleanliness, and thinks the Street Cleaning Department deserve credit for their close attention to his very many notoriously badly paved streets. He reports, however, that 12th street, immediately east of Avenue C, contains foul and offensive water, covered with a green scum of evident long standing.

Assistant Inspector Hall (14th Ward) has no complaint to make excepting against Mott and Mulberry, and that portion of Hester street, between Mulberry and Centre. These have the old cobble stone pavement, and it is almost impossible to make it clean or keep it so. That of Mulberry street is in an especially wretched condition, being out of repair throughout its entire length in the 14th ward. "I would urge upon you," he says, "the necessity of having the old cobble stone pavement replaced by the Belgian or square blocks."

Assistant Inspector Atwater (17th Ward) reports that his streets have been clean during the past

week, excepting 11th, 12th and 13th streets, portions of which, between 1st avenue and Avenue A, were strewn with garbage and street filth.

Inspector Russell (18th Ward) finds his streets in a very fair condition as regards cleanliness.

Assistant Inspector Walker (20th Ward) reports his streets in fair condition, excepting 39th street, between 9th and 11th avenues.

Inspector Roberts (21st Ward) finds his streets in good sanitary condition, excepting those streets which require to be repaved.

Assistant Inspector Ewing (lower part 22d Ward) reports his streets as not so clean as usual.

Assistant Inspector Strong (upper part 22d Ward) reports the following-paved streets filthy with stable manure. Sixtieth street, between Boulevard and 9th avenue; 59th street, from Boulevard to River, and 9th avenue, from 60th to 63d street. Of the unpaved streets—9th avenue, between 67th and 60th streets, contains the ashes and garbage it had four weeks ago, and is daily receiving the same filthy materials. 64th street, between 9th and 10th avenues, is a dumping ground for all sorts of dirt; 63d street, between 9th and 10th avenues, is very filthy with ashes, garbage and all kinds of rubbish.

Inspector Post (lower part of 19th Ward) reports his streets as clean, excepting all the unpaved streets; also 1st avenue, between 43d and 48th streets; 2d avenue, between 46th and 48th streets; 41st street, between 1st and 2d avenues; 47th and 48th streets, between 1st and 3d avenues; 54th and 56th streets, between 2d and 3d avenues.

Assistant Inspector Fowler (upper part of 12th Ward) found all his streets clean and in good condition.

It will be observed that Inspectors having unpaved streets uniformly complain of their want of cleanliness.

The proper paving of the streets is imperative, needed if we would have them clean.

WALTER DE F. DAY, M.D., Sanitary Superintendent.

SANITARY BUREAU, New York, August 12th, 1873.

To the Commissioners of the Board of Health.

In compliance with the resolution of the Board passed on the 5th inst., directing the inspection and condemning of all unripe, decayed and unwholesome fruit offered for sale. I beg leave to make the following report:

Captain Thorne of the Street Cleaning Bureau having placed a large police cart with a driver at my disposal, I yesterday detailed Special Inspector Wallahan, who, with officer Rhodes of the Sanitary Police, made a tour of many of the streets of the 8th and lower part of the 15th wards.

In the smaller groceries, and on many hucksters stands they found nearly a cart full of fruit unfit for use, which they condemned, seized and disinfected. They were careful to discriminate between unripe fruit designed for cooking and unwholesome fruit intended to be eaten in its crude state. Whenever opposition was encountered the Ordinance and Resolution of the Board were shown, and the duty was performed as quietly as possible.

The fruit condemned, included melons, pears, apples, peaches, egg-plants, peas, beets, potatoes and cabbage.

The plan seems to work well and will be continued during the week.

WALTER DE F. DAY, M. D., Sanitary Superintendent.

THE NEW YORK BRIDGE CO.

The following statement of receipts and expenditures of the New York Bridge Company has been received by his Honor, the Mayor, who is ex-officio a member of the Board of Directors of said Bridge Company.

Statement of the receipts and expenditures of the New York Bridge Co., for the month ending July 31st, 1873:

Table with RECEIPTS and EXPENDITURES sections, listing various financial items and their amounts.

Table listing various contractors and their amounts, including George Pool & Sons, Burr & Co., Wm. Taylor & Sons, etc.

A contract for furnishing 4,790 cubic yards of granite for the New York Tower was awarded to the Bodwell Granite Co., they being the lowest bidders, viz: 2,804 yards Buttress face stone at \$26.50, 1,050 yards Plaster stone at \$28.50, 345 yards sloping offset stone at \$28.50, 549 yards dimension backing stone at \$20.00, 42 yards bead course stone at \$37.00.

4,790..... \$126,597 50

JEREMIAH P. ROBINSON, President. JOHN H. PRENTICE, Secretary.

DEPARTMENT PUBLIC WORKS.

DEPARTMENT OF PUBLIC WORKS, Commissioners Office, Room 19, City Hall, New York, August 9th, 1873.

In pursuance of section 110, chapter 335 of the laws of 1873, the Department of Public Works makes the following report of its transactions for the week ending this day:

Public moneys received and deposited with the City Chamberlain:

Table listing public moneys received: For croton water rent, For penalties on croton water rent, For tapping croton pipes, For vault permits, For sewer permits, For sewer pipe sold to contractors.

Total, \$24,232 13

The following contracts were awarded: Sewer in Greenwich street, between Leroy and Morton streets, and sewer in Hudson street, between Vandam and Charlton streets, to John P. Cumming, Jr., of Carmansville; surety, Christopher Keyes, of No. 108 East Seventieth street.

Certificates of the cost of the following improvements were transmitted to the Board of Assessors for assessment: Outlet sewer in Eighty-ninth street, between Second avenue and the East River; and flagging north side of Thirteenth street, from No. 415 to Avenue A.

New lamps were ordered to be fitted up in Fifty-fourth street, between Tenth and Eleventh avenues.

Three hundred and eighty-five receiving basins have been cleaned; eighteen complaints as to street obstructions were received; eight permits to place building materials on streets, and one permit to set curb and gutter stones and flag sidewalk have been issued.

There has been an aggregate increase of nine men in the laboring force of the Department.

The total amount of requisitions drawn by the Department on the Comptroller during the week is \$697,092.63, and includes the bills of the New York, Manhattan and Metropolitan Gas Light Co's., for 1872, amounting to \$577,600.16.

GEO. M. VAN NORT, Commissioner of Public Works.

THE CITY RECORD.

The following compilation of the requirements of the Charter with reference to matter to be published and advertised in THE CITY RECORD has been prepared for the convenience of Heads of Departments of the City government.

A. DISBECKER, Supervisor of the City Record.

MATTER TO BE PUBLISHED AND ADVERTISED IN THE CITY RECORD IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 335 OF THE LAWS OF 1873.

SEC. 16. Immediately after the adjournment of each meeting of either board, it shall be the duty of the clerk of such board to prepare a brief abstract, omitting all technical and formal details, of all resolutions and ordinances introduced or passed, and of all recommendations of committees, and of all final proceedings, as well as full copies of all messages from the Mayor and all reports of departments or officers. He shall at once transmit the same to the person appointed to supervise the publication of THE CITY RECORD.

In all cases the yeas and nays upon the final passage of the resolution or ordinance shall be published.

§ 17. §. 26. The ordinances of the Common Council hall, as far as practicable, be reduced to a code, and be published as such in THE CITY RECORD.

§ 24. The Mayor shall render to the Board of Aldermen every three months, an account of the

expenses and receipts of his office, and therein shall state, in detail, the amounts paid and agreed to be paid by him for salaries to his clerks and subordinates respectively, and the general nature of their duties which shall be published in THE CITY RECORD.

§ 27. The Departments of the City government shall, once in three months, and at such other times as the Mayor may direct, make to him in such form and under such rules as he may prescribe, reports of the operations and action of the same and each of them, which reports shall be published in THE CITY RECORD.

§ 32. The Comptroller of the City of New York shall appoint and at pleasure remove for cause to be stated in writing and published in THE CITY RECORD, a Deputy Comptroller.

§ 38. The sworn statement of the Corporation Attorney and Public Administrator, with a detailed list of costs, commissions, fines and penalties collected shall be published in THE CITY RECORD monthly, as furnished.

§ 44. The name, residence and occupation of each applicant for appointment to any position in the Police Department; as well as the name, residence and occupation of each person appointed to any position, shall be published, and such publication shall, in every instance, be made on the Saturday next succeeding such application or appointment in THE CITY RECORD.

§ 64. All property transmitted to the property clerk of the Police Department shall be advertised in THE CITY RECORD for the benefit of all persons interested, and for the information of the public as to the amount and disposition of the property.

§ 65. All property and money that shall remain in the custody of the property clerk for the period of six months without any lawful claimant thereto, shall be sold at public auction, after having been advertised in THE CITY RECORD for a period of ten days.

§ 75. Real or personal property belonging to the city, or city and county shall be duly advertised previous to the sale thereof at public auction.

§ 82. The Health Department is authorized and empowered to add to the "Sanitary Code" from time to time, and shall publish additional provisions for the security of life and health in the City of New York, and therein to distribute appropriate powers and duties to the members and employes of the Board of Health, which shall be published in THE CITY RECORD.

§ 91. All contracts shall be entered into by the appropriate heads of departments, and shall, except as otherwise provided, be founded on sealed bids or proposals, made in compliance with public notice duly advertised in THE CITY RECORD, said notice to be published at least ten days.

§ 92. All property sold shall be sold at auction, after previous public notice.

§ 105. The "Board of Street Opening and Improvement" is authorized and empowered, after laying its proposed action before the Board of Aldermen, and publishing full notice of the same for ten days in THE CITY RECORD, to alter the map or plan of New York City so as to lay out new streets, &c., &c. &c.

§ 106. It shall be the duty of the Commissioners of Accounts, once in three months, and oftener if they deem it proper, to examine all vouchers and accounts in the offices of the comptroller and chamberlain, and to make and publish in THE CITY RECORD a detailed statement of the financial condition of the city, showing the amount of its funded and floating debt, the amount received and expended since the last preceding report, with a classification of the sources of revenue and expenditure, and such other information as they shall deem proper.

§ 108. It shall be the duty of the Comptroller to publish in THE CITY RECORD, two months before the election of charter officers, a full and detailed statement of the receipts and expenditures of the corporation during the year ending on the first day of the month in which such publication is made, and the cash balance or surplus; and in every such statement the different sources of city revenue, and the amount received from each the several appropriations made, the objects for which the same were made, and the amount of moneys expended under each, the moneys borrowed on the credit of the Corporation, the authority under which each loan was made, and the terms on which the same was obtained, shall be clearly and particularly specified.

§ 110. In every Department or Board there shall be kept a record of all its transactions, which shall be accessible to the public, and once a week a brief abstract, omitting formal language, shall be made of all transactions, and all contracts awarded and entered into for work and material of every description, which abstract shall contain the name or names, and residences by street and number, of the party or parties to the contract, and of their sureties, if any. A copy of such abstract shall be promptly transmitted to the person designated to prepare THE CITY RECORD, and shall be published therein. Notice of all appointments and removals from office, and all changes of salaries, shall, in like manner, within one week after they are made, be transmitted to and published in THE CITY RECORD.

§ 111. There shall be inserted in THE CITY RECORD nothing aside from such official matters as are in this act (Chap. 335 Laws of 1873), expressly authorized.

All advertising required to be done for the city, and all notices required by law or ordinance to be published in corporation papers, shall be inserted, at the public expense, only in THE CITY RECORD, and a publication therein shall be

a sufficient compliance with any law or ordinance requiring publication of such matter or notices.

There shall be published in THE CITY RECORD, within the month of January in each year, a list of all subordinates employed in any Department (except laborers), with their salaries, and residences by street numbers, and all changes in such subordinates or salaries shall be so published within one week after they are made.

It shall be the duty of all Heads of Departments to furnish to the person appointed to supervise the publication of THE CITY RECORD, everything required to be inserted therein. The said person shall have power to make requisitions in writing upon the Heads of Departments, to furnish the information necessary to make up such list, according to rules prescribed by him and approved by the Comptroller; and such information must be supplied by the department within ten days after such requisition. He shall have power to require such information in the same manner, every three months, and all other information in the control of said Heads of Departments necessary to perform his duties under this section. He shall include in his list the number of laborers, designating the department in which they are employed, and, if practicable, the numbers employed in the prosecution of specific work, and the amounts paid to them. He shall also cause to be printed in each issue of said CITY RECORD a separate statement of the hours during which all 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.

The detailed canvass of votes at every election shall be published at the expense of the city only in THE CITY RECORD.

The Mayor may order the insertion of any official matter or report in THE CITY RECORD.

§ 112. After the provisional estimate is made by the Board of Apportionment, it shall be submitted by said board, with their reasons for it in detail, within ten days, to the Board of Aldermen, whereupon a special meeting of said Board shall be called to consider such estimate, and the same shall simultaneously be published in THE CITY RECORD.

Should the said Board of Apportionment overrule objections or suggestions made by the Board of Aldermen the reasons for such action shall be published in THE CITY RECORD.

NAMES, RESIDENCES AND PLACES OF BUSINESS

OF THE MEMBERS

OF THE BOARD OF ALDERMEN.

1873-4.

- 1. Samuel B. H. Vance, President; place of business, corner of 24th street and 10th avenue; residence 206 West 23d street.
2. Oliver P. C. Billings, place of business, 15 Nassau street; residence, 7 University place.
3. Jenkins Van Schaick, place of business, 13 Broad street; residence, 1 University place.
4. Stephen V. R. Cooper, place of business, 177 Broadway; residence, 318 West 51st street.
5. John Falconer, place of business, 472 Broome street; residence, 308 East 15th street.
6. George Koch, place of business, 23 Rivington street, residence, 638 Lexington avenue.
7. Peter Kehr, place of business, 115 Norfolk street, residence, 50 Seventh street.
8. Robert McCafferty, place of business, 654 5th avenue; residence, 838 Lexington avenue.
9. Oswald Ottendorfer, place of business, 17 Chatham street; residence, 7 East 17th street.
10. Henry Clausen, place of business, 309 East 47th street; residence, 83d street corner Avenue A.
11. Patrick Lysaght, place of business, 514 Pearl street; residence, 27 City Hall Place.
12. Richard Flanagan, place of business, 312 West 22d street; residence, 312 West 22d street.
13. John Reilly, place of business, 62 East 14th street; residence, 314 East 14th street.
14. John J. Morris, place of business, 59 University Place; residence, 117 West 21st street.
15. Joseph A. Monheimer, place of business, 233 East 31st street; residence, 233 East 31st street.

SAMUEL B. H. VANCE, President.

JOSEPH C. PINCKNEY, Clerk.

STANDING COMMITTEES

- ARTS AND SCIENCES, INCLUDING PUBLIC INSTRUCTION. Aldermen Billings, Monheimer, Reilly.
FERRIES. Aldermen Falconer, Cooper, Lysaght.
FINANCE. Aldermen Van Schaick, Clausen, Kehr, Morris, Ottendorfer.
LANDS AND PLACES. Aldermen McCafferty, Koch, Monheimer.
LAW DEPARTMENT. Aldermen Cooper, Billings, Flanagan.
MARKETS. Aldermen Morris, Kehr, Lysaght.
PRINTING AND ADVERTISING. Aldermen Kehr, Ottendorfer, Falconer.
PUBLIC WORKS. Aldermen Koch, Morris, Clausen.
RAILROADS. Aldermen Billings, Van Schaick, Ottendorfer.
REPAIRS AND SUPPLIES. Aldermen Kehr, Cooper, Flanagan.
ROADS. Aldermen Cooper, Clausen, Reilly.
SALARIES AND OFFICES. Aldermen Ottendorfer, Koch, McCafferty.
STREETS. Aldermen Monheimer, Billings, McCafferty.
STREETS AND PAVEMENTS. Aldermen Falconer, Monheimer, Van Schaick.
SAMUEL B. H. VANCE, President.
JOSEPH C. PINCKNEY, Clerk.

