

THE CITY RECORD.

OFFICIAL JOURNAL.

Vol. V.

NEW YORK, FRIDAY, JULY 6, 1877.

NUMBER 1,236.



LAWS OF 1877.

Acts of the Legislature of the State of New York, relating to the City and County of New York, passed at the Regular Session for 1877.

CHAPTER 37.

AN ACT to amend section one of chapter six hundred and thirty-eight of the Laws of eighteen hundred and sixty-seven, entitled "An act authorizing the New York society for the relief of the ruptured and crippled to hold real and personal estate."

Passed March 6, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. Section one of chapter six hundred and thirty-eight of the laws of eighteen hundred and sixty-seven, entitled "An act authorizing the New York society for the relief of the ruptured and crippled to hold real and personal estate," is hereby amended to read as follows :

§ 1. The New York society for the relief of the ruptured and crippled are hereby authorized to take by purchase, devise or otherwise, and to hold, transfer and convey, for the purposes of this corporation, and for no other purpose, real property to an amount not exceeding the sum of two hundred and fifty thousand dollars in value, and personal property to an amount not exceeding seven hundred and fifty thousand dollars, provided, that any such devise shall be subject to the existing laws in relation to wills, and provided further, that no salary, fees or compensation shall be paid to or received by any trustee or officer of said society out of any funds or property of the society.

§ 2. This act shall take effect immediately.

CHAPTER 40.

AN ACT to release to certain charitable institutions the interest of the people of the State of New York, in certain personal property formerly of James Kelly, of the city of New York, deceased.

Passed March 9, 1877; by a two-third vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. All the right, title and interest of the people of this State in and to so much of the personal estate formerly of James Kelly of the city of New York, deceased, as is given and bequeathed or attempted to be given and bequeathed in and by the eighth clause of the last will and testament of said James Kelly, deceased, disposing, or attempting to dispose, of the residuary estate of the said James Kelly, is hereby released to and vested in :

1. The nursery and child's hospital.
2. The society for the relief of poor widows with small children.
3. Manhattan eye and ear hospital.
4. House of rest for consumptives.
5. Institution of mercy, for St. Joseph's industrial home for destitute children, Eighty-first street and Madison avenue.
6. Nuns of the order of St. Dominick of the city of New York, for industrial school of the sisters of St. Dominick.
7. Union home and school for the education and maintenance of the children of our volunteers who are left unprovided for.
8. St. James' church, for St. James' industrial home.
9. Home for incurables.
10. The St. Stephen's home for children.
11. Home for the aged of the little sisters of the poor of the City of New York.
12. New York ophthalmic hospital.
13. Sisters of the poor of St. Francis.
14. The Samaritan home for the aged of the city of New York,

equally, share and share alike; and George W. Duer and Lawrence D. Kiernan, the executors of said James Kelly, deceased, and the survivor of them, are hereby authorized to assign, transfer, and pay over to said releasees the said residuary estate of James Kelly, deceased; and all such assignments, transfers and payments shall be as valid and shall have the same effect as if made to the people of this State.

§ 2. Nothing herein contained shall impair, release, or discharge any right, claim, or interest of any next of kin or heirs at law in or to the personal property herein mentioned.

§ 3. This act shall take effect immediately.

CHAPTER 43.

AN ACT in relation to the founding asylum of the sisters of charity in the city of New York.

Passed March 15, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. The founding asylum of the sisters of charity of the City of New York is hereby authorized to lease, purchase, have, hold, convey, and mortgage, for the purposes of its incorporation, lands in any of the counties of this State contiguous to the city of New York, and to erect and maintain thereon all necessary and suitable buildings, provided that the value of such land shall not, in the aggregate, at the time of purchase, exceed seventy-five thousand dollars.

§ 2. The said asylum shall be entitled to and shall have and receive for each and every homeless and needy mother with a nursing infant, who shall reside at the asylum by request of its officers, and nurse her own infant, the sum of eighteen dollars per month, which said sum shall be raised and paid to the said founding asylum of the sisters of charity in the city of New York, in the same manner, at the same time, and by the same authorities and officers in and at which, and by whom the sum paid to the New York infant asylum as to which it is or may be entitled, as aforesaid, shall or may be raised and paid.

§ 3. Nothing in this act contained shall be construed as exempting from taxation any additional real estate authorized to be held under this act.

§ 4. This act shall take effect immediately.

CHAPTER 51.

AN ACT to provide for the completion of the court-house in the third judicial district of the city of New York.

Passed March 21, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. The commissioner of public works of the city of New York is hereby authorized and directed to take charge of and supervise the construction of the court-house in the third judicial district of said city, in place and stead of the commissioners for the erection of said court-house whose terms of office expired on the thirty-first day of December, eighteen hundred and seventy-six. All the powers and duties concerning or affecting the erection of said court-house heretofore conferred upon and possessed by said commissioners are hereby transferred to and conferred and devolved upon the said commissioner of public works.

§ 2. The court-room and other rooms on the first floor of said court-house building shall be set apart for the use and occupation of the second district police court of the city of New York, and as soon as the said rooms are completed and finished they shall be assigned and turned over to said police court; the court-room and other rooms on the second floor of said court-house building shall be set apart for the use and occupation of the district court of the city of New York for the third judicial district, and as soon as said rooms are completed and finished they shall be assigned and turned over to said third district court. The prison in connection with said court-house building shall, as soon as finished and completed, be assigned and turned over to the department of public charities and correction of said city. The bell-tower in connection with said court-house building shall, as soon as finished and completed, be assigned and turned over to the fire department of said city.

§ 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

§ 4. This act shall take effect immediately.

CHAPTER 52.

AN ACT relative to lands in the city of New York, devised by Charlotte E. Jenkins, late of said city, deceased, authorizing the mortgaging or sale thereof, and the disposition of the proceeds thereof in accordance with the provisions of the will of said deceased.

Passed March 22, 1877.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Section 1. On the petition of Margaret G. Kopper, personally, and as executrix and trustee of Charlotte E. Jenkins, late of the city of New York, deceased, and Frederick Kopper, her husband, and Sarah R. Jenkins and their descendants in being (such descendants, while infants, petitioning by a next friend) being the only surviving devisees of Charlotte E. Jenkins, deceased, the supreme court, at a special term thereof, held in the city of New York, may authorize the sale in fee or the mortgaging of the following described land and premises situate, lying and being in the twelfth ward, between One Hundred and Twenty-fourth and One Hundred and Twenty-fifth streets and Lexington and Third avenues in the city of New York, and bounded as follows, namely: Beginning at a point, formed by the intersection of the west line of Third avenue with the north line of said One Hundred and Twenty-fourth street, and running thence westerly, and parallel with One Hundred and Twenty-fourth street, one hundred and fifty feet; thence northerly, and parallel with Third avenue, one hundred feet and eleven inches, more or less, to the centre line of the block; thence westerly, along the centre line of the block, two hundred and sixty-five feet; thence northerly, and parallel with Lexington avenue, one hundred feet and eleven inches, more or less, to the southerly line of One Hundred and Twenty-fifth street; thence easterly, along the southerly line of One Hundred and Twenty-fifth street, four hundred and fifteen feet to the westerly line of Third avenue; thence southerly, along the westerly line of Third avenue, two hundred and one feet and eleven inches to the point or place of beginning; being the same premises devised by the said Charlotte E. Jenkins, in and by her last will and testament, which was admitted to probate in the surrogate's court of the county of New York, January 15, eighteen hundred and sixty-three, and recorded in liber number one hundred and forty-seven, pages one hundred and seventy-eight, et cetera, of will records in said surrogate's office, whereby she devised the undivided one-fourth of the income thereof to her husband, George W. Jenkins (now deceased), for life or until he married again, and the income of the other undivided three-fourths thereof to her daughters, Margaret G. Jenkins, Sarah R. Jenkins, and Mary C. Jenkins (since deceased, unmarried and without issue), for life, with remainder in fee as to the share of each, after his or her death, to his or her children or issue, and in case of the death of any without issue to the survivors or survivor and issue of any deceased, and which lands are now held in trust for the benefit of said Margaret G. Jenkins (now Margaret G. Kopper) and Sarah R. Jenkins and their descendants, by the said Margaret G. Kopper and Sarah R. Jenkins, under the provisions of said will and subject to the trusts therein contained, or of any part or parcel thereof, from time to time as may be judged to be expedient and calculated to promote the interest of the descendants of said Margaret G. Kopper and Sarah R. Jenkins (the only surviving devisees under said will as aforesaid), whether yet in being or not, to whom or for whose benefit the trusts under the will of said Charlotte E. Jenkins may enure after the death of said Margaret or Sarah, by the provisions of said will, the court shall appoint one or more suitable person or persons as guardian or guardians for such of them as may be infants, in relation to the proceedings upon such application or petition.

§ 2. Such mortgage or mortgages, sale or sales, shall be made under the direction of the supreme court sitting at any special term in the city of New York, by public auction or at private sale (in case of sale), and the proceeds arising from such mortgage or mortgages, sale or sales, shall be applied in relieving the said property from existing charges and incumbrances, and invested and applied in such manner, from time to time, as the court shall direct, and shall be applied to the use of the same persons and be subject to the same limitations as provided for in the will of the said Charlotte E. Jenkins, in relation to the interests of such issue, provided always that the court may direct the reimbursement out of the proceeds of such mortgage or mortgages, sale or sales, to the life-tenant, of such proportion of any assessments imposed on said premises or any part thereof for permanent improvements, and which have heretofore been or may hereafter be paid by the life tenant as, according to law and the practice of the court, is chargeable against the remaindermen. Any mortgage or mortgages given, or sale or sales made pursuant to this act, shall be reported to the court, and if approved, the said court shall confirm the same and direct a conveyance to be executed by such of the descendants of said Margaret G. Kopper and Sarah R. Jenkins respectively, as may then be in being and of full age, and by a referee appointed by the court, to act in behalf of the infant and unborn descendants of said Margaret G. Kopper and Sarah R. Jenkins respectively, and all other persons in interest.

§ 3. All sales and conveyances made as aforesaid, in pursuance of such authority or direction, shall be valid and effectual to vest in the purchaser or purchasers, and his or their assigns, the fee simple absolute in and to the lands so conveyed as against all the descendants of said Margaret G. Kopper and Sarah R. Jenkins respectively, whether in being or not, and all persons whomsoever deriving any rights or interests in said property under and by virtue of said will, and every mortgage made as aforesaid, in pursuance of such authority and direction, shall be a valid mortgage, and shall be binding and effectual as against all persons having any claim to, or interest in the premises under the will of the said Charlotte E. Jenkins, deceased, whether yet in being or not, and on a foreclosure and sale thereof by due proceedings at law, if any such sale should hereafter be made under such mortgage, the title of the purchaser under said sale shall be valid and free and discharged of all claims of all persons having any interest in the said premises under the will of the said Charlotte E. Jenkins, deceased, whether in being or not.

§ 4. This act shall take effect immediately.

CHAPTER 60.

AN ACT in relation to running ferry boats by the Union ferry company of Brooklyn across the East river.

Passed March 23, 1877.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. The Union ferry company of Brooklyn is hereby required to run a ferry boat from the foot of Whitehall street, in the city of New York, to the foot of Atlantic avenue, in the city of Brooklyn, once in every twelve minutes from five o'clock in the morning until ten o'clock at night, and once in every half-hour from ten o'clock at night to five o'clock in the morning, during the prese at lease.

§ 2. This act shall take effect immediately.

CHAPTER 64.

AN ACT to amend section seven of chapter six hundred and thirty-three of the laws of eighteen hundred and sixty-six, entitled, "An act in relation to the benevolent fund of the late volunteer fire department in the city of New York," passed April seventeenth, eighteen hundred and sixty-six, as amended by chapter nine hundred and sixty-two of the laws of eighteen hundred and sixty-seven, and as further amended by chapter two hundred and ninety-seven of the laws of eighteen hundred and seventy.

Passed March 27, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:
Section 1. Section seven of the act, entitled "An act relating to the benevolent fund of the late volunteer fire department in the City of New York," passed April seventeenth, eighteen hundred and sixty-six, as amended by chapter nine hundred and sixty-two of the laws of eighteen hundred and sixty-seven, and as further amended by chapter two hundred and ninety-seven of the laws of eighteen hundred and seventy, is hereby amended so as to read as follows:

§ 7. The said corporation shall be entitled to receive, and there shall be paid to them, the percentage or tax on the receipts of the foreign fire insurance companies doing business in the City of New York, as provided by chapter five hundred and forty-eight of the laws of eighteen hundred and fifty-seven, for nine years, from the seventeenth day of April, eighteen hundred and seventy-seven, and all returns and undertakings required by said act shall be made to the treasurer of the said corporation, who shall pay over to the treasurer of the New York fire department relief fund one-half of the amount so received, each year, for the use and benefit of the said New York fire department relief fund, as provided by section fourteen of chapter seven hundred and forty-two of the laws of eighteen hundred and seventy-one.

CHAPTER 50.

AN ACT further to amend chapter one hundred and six of the laws of eighteen hundred and sixty-five, entitled "An act to incorporate the New York infant asylum."

Passed April 2, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:
Section 1. Section twenty-two of chapter one hundred and six of the laws of eighteen hundred and sixty-five, entitled "An act to incorporate the New York infant asylum," is hereby further amended so as to read as follows:

§ 22. In each and every year after this act shall take effect, the board of supervisors of the city and county of New York shall levy and collect by tax, at the same time and in the same manner as the contingent charges and expenses of the city and county are levied and collected, and pay over to said corporation a sum of money at the rate of thirty-eight cents per day, in monthly payments, for each and every child received and maintained by said asylum; and it shall be the duty of the comptroller of said city to reimburse and pay over the difference between thirty-eight cents per day and the amount actually received by said asylum from said supervisors since the passage of the amendment dated April eighteenth, eighteen hundred and seventy-two, to the aforesaid act of incorporation of eighteen hundred and sixty-five. It is further provided that whenever any homeless or needy mother has received care and attendance in the lying-in wards of the New York infant asylum, the managers of said asylum shall be entitled to receive and shall receive from the county treasurer, as herein above provided, the sum of twenty-five dollars for said care and obstetric attendance, and whenever any mother thus domiciled and attended at the birth of her child, and whenever any other homeless or needy mother with a nursing infant resides at the asylum, by the request of its officers, and wet nurses her own infant, the managers of said institution shall be entitled to receive, and shall receive from the county treasurer, the sum of eighteen dollars per month and proportionally for any fraction of a month for each mother so remaining under their charge in said asylum, provided such residence shall exceed the period of two months, to be paid as hereinbefore provided, in monthly, quarterly or annual payments as said managers may request; but the managers of the said institution shall not be entitled to receive the said monthly allowance for a longer period than for one year for any mother so remaining.

§ 2. This act shall take effect immediately.

CHAPTER 101.

AN ACT to provide for making to the New York infirmary for women and children allowances and payments for the care and maintenance of lying-in and nursing women.

Passed April 6, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:
Section 1. Whenever any homeless, or needy mother has received care and attendance in the lying-in wards of the New York infirmary for women and children, the managers of said infirmary shall be entitled to receive, and shall receive from the public treasury and funds of the city of New York, the sum of twenty-five dollars for said care and obstetric attendance in each of said cases. And whenever any mother thus domiciled and attended at the birth of her child, and whenever any other homeless or needy mother with a nursing infant resides at said infirmary at the request of or by permission of its officers, and wet nurses her own infant, the managers of said infirmary shall be entitled to receive, and shall receive, as aforesaid, the sum of eighteen dollars per month, and proportionally for any fraction of a month, for each mother so remaining under their charge in said institution; provided such residence shall exceed the period of two months. The several payments hereinbefore mentioned shall be made monthly, quarterly, or annually, as the officers of said infirmary shall request the comptroller of said city in writing; and provided further, that said institution shall not be entitled to receive the said monthly allowance of eighteen dollars for a longer period than for one year for any mother so remaining continuously.

§ 2. In each and every year after this act shall take effect, the board of supervisors of the city and county of New York, or the officers or board charged by law with the duty of levying and collecting taxes shall levy and collect by tax at the same time and in the same manner as the contingent charges and expenses of said city and county are levied and collected, such sum or sums as shall provide for the several payments in the first section of this act provided, and it shall be the duty of the comptroller and chamberlain of said city, and of all other officers charged by law with the duty of making payments out of the treasury of said city to make said payments as in said first section of this act is provided.

§ 3. This act shall take effect immediately.

CHAPTER 125.

AN ACT to release to Edward Kennedy and others the right, title and interest of the people of the State of New York to certain real estate in the city of New York.

Passed April 13, 1877, by a two-third vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:
Section 1. All the estate, right, title and interest of the people of the State of New York, of, in and to all those lots of land situate in the city of New York, of which Robert Kennedy, late of said city, died seized and possessed and the buildings erected thereon, now known as numbers one hundred and forty-three, one hundred and forty-five, one hundred and forty-seven, one hundred and forty-nine, one hundred and sixty-one, one hundred and sixty-three, and one hundred and sixty-five Maiden lane; numbers one hundred and fifty-nine and one hundred and sixty Front street, and numbers seventy-six and seventy-seven South street, all in the said city of New York, with the appurtenances thereunto respectively belonging, is hereby released to Edward Kennedy as devisee, under the will of Jane Kennedy, deceased, who was a daughter and one of the devisees under the will of the said Robert Kennedy, to Theophilus J. Levett, as devisee under the will of Sophia E. Levett, deceased, who was a daughter and one of the devisees under the will of the said Robert Kennedy, to Charlotte A. A. Disbrowe and Jane Harriet Wise as heirs at law of Charlotte Disbrowe, deceased, who was a daughter and one of the devisees under the will of the said Robert Kennedy, to Charlotte A. A. Disbrowe and Theophilus J. Levett as grantees of Isabella Campbell, who is a daughter and one of the devisees under the will of the said Robert Kennedy, in the same proportions and to the same extent as if the said several above-named heirs at law, grantees and devisees had been citizens of the United States at the time of the death of, conveyance from, or devise by, the said several daughters and devisees of the said Robert Kennedy, or of any or either of them, to them, their heirs and assigns forever, subject, however, to, and charged with, any valid and existing trust created by the will of the said Robert Kennedy, relating to, or affecting said real estate, or any part thereof. And the said Theophilus J. Levett, Edward Kennedy, Charlotte A. A. Disbrowe and Jane Harriet Wise are hereby authorized to sell, convey, mortgage and devise the same in the same manner and with like effect as if they were citizens of the United States of America.

§ 2. Nothing herein contained shall be construed to impair, release or discharge any right, claim or interest of any heir at law, devisee or grantee of the said Robert Kennedy, or of any creditor by judgment, mortgage or otherwise.

§ 3. This act shall take effect immediately.

CHAPTER 159.

AN ACT relating to the payment of assessments for local improvements in the city of New York.

Passed April 17, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:
Section 1. All assessments for local improvements in the city of New York, confirmed prior to the passage of this act, except as provided in section four of this act, may be paid by the person liable to pay the same in three equal installments, as follows: The first installment on or before the thirty-first day of December, eighteen hundred and seventy-seven; the second installment on or before the thirty-first day of December, eighteen hundred and seventy-eight; and the third installment on or before the thirty-first day of December, eighteen hundred and seventy-nine, with interest at the rate of eight per cent. per annum thereon. But nothing in this section shall prohibit the person liable to pay an assessment from paying the whole amount of such assessment in one payment under the provisions of law in force prior to the passage of this act.

§ 2. All assessments for local improvements in the city of New York, confirmed after the passage of this act, and prior to the thirty-first day of December, eighteen hundred and seventy-seven, may be paid at the option of the person liable to pay the same, in three equal installments, as follows: The first installment on or before the thirty-first day of December, eighteen hundred and seventy-eight; the second installment on or before the thirty-first day of December, eighteen hundred and seventy-nine; and the third installment on or before the thirty-first day of December, eighteen hundred and eighty, with interest at the rate of eight per cent. per annum thereon.

§ 3. Nothing in this act shall prevent the person liable to pay any assessment, from paying the whole amount thereof in one payment, under the provisions of the laws in force relating to assessments for local improvements prior to the passage of this act.

§ 4. Nothing herein contained shall in any manner affect the rights or remedies of the said city in relation to said assessments and the recovery thereof, except that the payments of each of said installments shall be made as herein provided. Upon a failure in the payment of any one of said installments of any assessment, as herein provided, the privileges by this act conferred shall be forfeited, and the said assessments or any balance thereof remaining unpaid, may, upon such forfeiture, be enforced as if this act had never been passed. No provision of this act shall be construed as applicable to or affecting an assessment, for the collection of which assessment the property has been sold, or any assessment upon which an installment of one-third of the amount thereof has been paid under the provisions of chapter one hundred and three of the laws of eighteen hundred and seventy-six.

§ 5. This act shall take effect immediately.

CHAPTER 165.

AN ACT to authorize the trustees of the New York and Brooklyn bridge to change the site of a portion of Frankfort street, between Pearl and Jacob streets, in the city of New York.

Passed April 19, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:
Section 1. The trustees of the New York and Brooklyn bridge are hereby authorized to acquire and take in the manner provided by law for acquiring and taking land for the purposes of said bridge, a strip of land adjoining the southerly line of said bridge as the same is located, extending from Pearl to Cliff street, in the city of New York, of the same width as Frankfort street, between those streets, and not less than fifty-two feet six inches in width, and also a triangular piece of land bounded by Cliff street, Frankfort street, and a straight line drawn in continuation of the southerly line of said strip of land to the southerly side of Frankfort street, near Jacob street; which said strip and triangular piece of land are hereby declared to be necessary for the purposes of said bridge; and the said trustees, upon acquiring the said strip and triangular piece of land, shall regulate, pave and open the same in conjunction with Frankfort street for public use and travel; and the same shall thereafter vest in the mayor, aldermen, and commonalty of the city of New York, in the same estate and with the same powers thereof as that corporation possesses in and over the residue of Frankfort street in said city; and thereupon and upon acquiring also the land fronting and abutting on Frankfort street, lying within the lines of the said bridge, as the said bridge has been located, between Pearl and Jacob streets aforesaid; and compensating the owners of land fronting or abutting on Frankfort street, between Pearl and Cliff streets, for any damage sustained by them, by reason of closing Frankfort street, between Pearl street and the southerly line of the said bridge as aforesaid; the said trustees may take, use, occupy, and hold for the purposes of said bridge, so much of said Frankfort street as lies between Pearl street and the southerly line of said bridge as aforesaid, except so much thereof as is intersected by Cliff street.

§ 2. This act shall take effect immediately.

CHAPTER 186.

AN ACT to amend chapter seven hundred and forty-two of the laws of eighteen hundred and seventy-one, entitled "An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city."

Passed April 27, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:
Section 1. Chapter seven hundred and forty-two of the laws of eighteen hundred and seventy-one, entitled "An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city," passed April twenty-sixth, eighteen hundred and seventy-one, is hereby amended so as to read as follows:

RELIEF FUND.

§ 14. All fines imposed by the board of commissioners of the fire department in the city of New York, upon members of the fire department force, by way of discipline, and collectable from pay or salary, and all rewards in money, fees, gifts, and emoluments that may be paid or given for account of extraordinary services by any member of said force (except when allowed to be retained by said member, or given to endow a medal, or other permanent or competitive reward), and all proceeds of suits for penalties under this act, and all license fees payable under the same, shall be received by the treasurer of the said board for the time being, and applied by him for the purposes of the trust fund hereinafter created. The commissioners of the fire department in the city of New York for the time being, and their successors in office, are hereby created and declared to be the trustees of the fund to be known as "the New York fire department relief fund," and the treasurer of the said board, for the time being, who shall be the treasurer ex-officio of said relief fund, shall receive all moneys applicable to the same, and deposit the same as such treasurer of such relief fund, to the credit of such relief fund, in a savings bank to be selected by said trustees, and continue to receive and deposit funds applicable to the same as received, to the credit of said fund, or to invest the same on bond and mortgage on improved property, worth twice the amount loaned, or in public stocks, as said trustees may deem most advantageous for the object of such fund, and said trustees are empowered to make all necessary contracts, and to take all necessary remedies in the premises. And the said treasurer of the said relief fund shall receive from the treasurer of the relief fund of the metropolitan fire department the amounts of money to the credit of that fund, and apply the same to the purposes of the fund herein created. And the said trustees, for and on behalf of the uses and purposes of said fund, shall be entitled to receive, and there shall be paid to them, all duties, taxes, allowances, fines, penalties and fees to which the fire department of the city of New York, as at any time heretofore established, has been or is entitled, and shall, from and after the seventeenth of April, eighteen hundred and seventy-seven, and for the term for which the same may be granted, receive one-half the percentage or tax on the receipts of the foreign fire insurance companies doing business in the city of New York, as provided by chapter five hundred and forty-eight of the laws of eighteen hundred and fifty-seven, and as appropriated for five years from its passage by an act entitled "An act in relation to the benevolent fund of the late volunteer fire department in the city of New York," passed April seventeen, eighteen hundred and sixty-six, as amended by chapter nine hundred and sixty-two of the laws of eighteen hundred and sixty-seven; and as extended for seven years from the seventeenth of April; eighteen hundred and seventy, by chapter two hundred and ninety-seven of the laws of eighteen hundred and seventy, and as further extended for nine years from April seventeen, eighteen hundred and seventy-seven; and the treasurer of the said benevolent fund of the late volunteer fire department is hereby empowered and directed to account for and pay to the treasurer of the relief fund herein created, the said one-half part of said percentage and taxes as fully as though the same were provided for in the said act, and the amendments thereto, as soon as he shall from time to time receive the same, and the receipt of said treasurer of said relief fund shall be his full acquittance for the amount so paid, and the amounts so received shall be applied to and used for the purposes of said relief fund as herein provided; and the said trustees may take, by gift, grant, demise, or bequest, any money, real or personal property, rights of property, or other valuable thing, the annual income of which shall not exceed thirty thousand dollars in the whole; and if, in any year, when the condition of the

said relief fund shall render it, in the judgment of the said trustees, necessary, the board of fire commissioners may receive from the authorities of the city of New York a sum of not exceeding five thousand dollars, to be included in the annual estimate of the board, and drawn and collected by them in like manner as the other moneys applicable to their expenses; and such amounts, so obtained, shall, in like manner, be paid to and applied by the treasurer to the use of said fund, by deposit or investment as hereinbefore provided, as the trustees thereof shall direct; provided that the sum of two hundred thousand dollars, which may be received and accumulated under the provisions of this act, shall be reserved and retained as a permanent fund, the annual income of which may be made available for the use and purposes of said relief fund. The said treasurer of the relief fund hereby created, shall execute a bond for the faithful performance of his duties, in like manner as his present official bond is drawn, executed and filed, and in such penal sum as the said board of commissioners shall direct. The board of fire commissioners shall have the power, by a unanimous vote, to retire from all service in the said fire department, or to relieve from service at fires, any officer or member of the uniformed force of the said department who may, upon an examination by the medical officer, ordered by the said fire commissioners, be found to be disqualified, physically or mentally, for the performance of his duties; and the said officer or member so retired from service shall receive from the said relief fund an annual allowance, as pension in case of the total disqualification for service, or as compensation for limited service, in case of partial disability; in every case the said board of fire commissioners to determine the circumstances thereof; and said pension or allowance so allowed to be in lieu of any salary received by such officer or member at the date of his being so relieved or retired from fire duty in said department; and the said department shall not be held liable for the payment of any claim or demand for services thereafter rendered; and the amount of such pension or allowance shall be determined upon the following conditions: In case of total permanent disability, caused in or induced by the actual performance of the duties of his position, or which may occur after ten years' active and continuous service in the said fire department, the amount of annual pension to be allowed shall be one-half of the annual compensation allowed such officer or member as salary at the date of his retirement from the service, or such less sum in proportion to the number of officers and members so retired, as the condition of the fund will warrant. In case of total permanent disability not caused in or induced by the actual performance of the duties of his position, or which shall have occurred before the expiration of ten years' active and continuous service in the said fire department the amount of annual pension to be allowed shall be one-third of the annual compensation allowed such officer or member, as salary, at the date of his retirement from the service, or, in proportion to the number of officers and members so retired as the condition of the fund will warrant. In case of partial permanent disability, caused in or induced by the actual performance of the duties of his position, or which may occur after ten years' active and continuous service in the said fire department, the officer or member so disabled shall be relieved from active service at fires, but shall remain a member of the uniformed force, subject to the rules governing said force, and to the performance of such light duties as the medical officer of the said department may certify him to be qualified to perform; and the annual allowance to be paid such officer or member shall be one-half of the annual compensation allowed as salary at the date of his being so relieved, or such less sum, in proportion to the number of officers and members so retired, as the condition of the fund will warrant.

In case of partial permanent disability, not caused in or induced by the actual performance of the duties of his position, or which may occur before ten years' active and continuous service in the said fire department, the officer or member so disabled shall be relieved from active service at fires, but shall remain a member of the uniformed force, subject to the rules governing said force, and to the performance of such light duties as the medical officer of the said department may certify him to be qualified to perform, and the annual allowance to be paid such officer or member shall not exceed one-third of the annual compensation allowed as salary at the date of his being so relieved, or such less sum as the said board may, in their discretion determine, or as the condition of the fund will warrant. If any officer or member of the said fire department shall die while in the service of the same, and shall leave a widow, or, if no widow, any child or children under the age of sixteen years, a sum of not exceeding three hundred dollars, or such less sum as, in the opinion of the trustees, the condition of the fund will justify, by way of annuity, shall be paid to such widow so long as she remains unmarried, or to such child or children so long as the youngest of said children continues under the age of sixteen years. In every case, the board of fire commissioners shall determine the circumstances thereof, and order payment of the annuity to be made in such proportion to the various representatives (in case there shall be more than one), as they may deem just, by drafts to be signed by each trustee; but nothing herein contained shall render any payment of said annuity obligatory upon the said board or upon said trustees, or chargeable as a matter of legal right; and the board of commissioners may, at any time, order such annuity to be reduced or to cease.

LIFE INSURANCE FUND.

There shall be deducted from the monthly pay of each officer and fireman of said department, and from that of such of the other employees of said department as shall desire to avail themselves of this provision, the monthly sum of one dollar, which shall be received and held by the treasurer of the relief fund herein created, in the like manner as the other moneys herein provided to be paid to him; and which shall be known as the New York fire department life insurance fund; and in the case of the death of any member or employee of said department in the service thereof, and so contributing, there shall be paid to the widow or legal representative of such deceased member or employee the sum of one thousand dollars out of the money so assessed; and in the case, by reason of the number of deaths, the aggregate amount of money so provided to be assessed and collected should prove inadequate to make such payment, then the assessment may, in the discretion of said trustees, be increased to not exceeding the sum of two dollars in each month's pay; and if in any year, owing to any excessive mortality in the uniformed force, the condition of said life insurance fund shall render it, in the judgment of the said trustees, necessary, a sum not exceeding five thousand dollars may be transferred and paid over from the said relief fund to the said life insurance fund, for the use and purpose of said life insurance fund. Chapter seven hundred and fifty-six of the laws of eighteen hundred and sixty-six is hereby repealed.

§ 2. This act shall take effect immediately.

CHAPTER 187.

AN ACT relative to summary proceedings to recover the possession of lands for non-payment of rent, and for holding over after expiration of term, in the city of New York.

Passed April 28, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows: Section 1. No justice of the district courts in the city of New York shall hereafter have jurisdiction under the statutes relative to summary proceedings to recover the possession of lands for non-payment of rent, and for holding over after expiration of term unless the premises, the possession of which is sought to be recovered, are located in the judicial district in and for which said justice was elected. Provided, however, that on the first hearing of any such proceeding the justice before whom such proceeding is brought, may, on motion of either party thereto, make an order directing the trial of the issues therein to be held before the justice of an adjoining district.

§ 2. The justice elected in each district must hold court at his court-room and at no other place, for the hearing and disposing of proceedings under the statutes referred to in the first section of this act; if he be unable to hear such proceedings by reason of illness or absence from the place where his court is held, or if said justice be a necessary witness in any such proceeding, or if for any reason he be disqualified to try the issues in any such proceeding, all power and jurisdiction by the said statutes conferred on him may be exercised in his stead by a justice of any of the other district courts of the city of New York, acting for him and in his place and stead.

§ 3. This act shall take effect on the first day of July, eighteen hundred and seventy-seven.

CHAPTER 195.

AN ACT to enable the trustees of the seaman's fund and retreat in the city of New York, to borrow money.

Passed April 30, 1877.

The People of the State of New York, represented in Senate and Assembly, do enact as follows: Section 1. The trustees of the seaman's fund and retreat in the city of New York, are hereby authorized to borrow an additional sum of money, not exceeding five thousand dollars, on the lands on which the hospital and buildings are erected and the lands adjacent thereto belonging to said institution, to be applied to the purposes of said corporation. And they are hereby authorized to execute and deliver a bond and mortgage on said lands or any part thereof to secure the payment of said money so to be borrowed, with interest. Said bond and mortgage shall be made payable at a time not more than a year from their date, and shall be paid out of the proceeds of the sale of real estate, occupied by said institution, on Staten Island, as provided by chapter five hundred and sixty-nine of the Laws of eighteen hundred and seventy, and the acts amendatory thereof.

§ 2. This act shall take effect immediately.

CHAPTER 199.

AN ACT to facilitate the establishment of a botanical garden in the city of New York.

Passed April 30, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows: Section 1. Samuel B. Ruggles, William E. Dodge, junior, and John Jay Cisco, and all who now are or hereafter may become associates for the purpose, are hereby constituted a body corporate by

the name of "The Trustees of the Botanical Garden in the city of New York," with power to establish within the said city a garden for the promotion of botanical science, and the improvement of horticulture.

§ 2. For the purposes above declared the said corporation shall possess the general powers and privileges, and be subject to the general liabilities, contained in the third title of the eighteenth chapter of the first part of the revised statutes, so far as the same may be applicable, and may not have been modified or repealed.

§ 3. Within six months after the passage of this act the three incorporators first above-named, or any two of them, shall collect subscriptions sufficient to provide for the due preparation of a tract of land, having an area of at least three acres, for the reception of plants proper for the proposed garden, including in such area the necessary foot-walks, and shall thereby commence the establishment of such garden.

§ 4. Before the expiration of said six months the said three incorporators, or any two of them, shall notify their associate subscribers to said fund to attend a meeting, at which nine of said subscribers shall be chosen trustees of the said corporation. They shall be divided by lot into three classes of three each, one of which classes shall hold office for one year, another for two years, and another for three years. At each subsequent election, which shall be held annually in January, only three trustees shall be chosen, who shall hold office for three years.

§ 5. The sums to be raised by subscriptions, forming the capital stock of the said corporation, shall be divided in shares of twenty-five dollars each, and shall be faithfully applied to the necessary expense of constructing and maintaining the said garden. It may be increased from time to time to an aggregate amount of three hundred thousand dollars, to be applied in part to the creation of a permanent fund to meet the yearly expenses of the said garden.

§ 6. The trustees shall be elected by the holders of the certificates for such shares, each share to be entitled to one vote. No holder of the shares shall be personally liable for any debts of the corporation. The said corporation shall not at any time create any debt exceeding its cash assets then in hand.

§ 7. The officers of the said corporation shall be a president, two vice-presidents, a recording secretary, a corresponding secretary, a treasurer, and a librarian. Any other officers or assistants may be appointed in pursuance of by-laws which the said corporation may establish for the management of its property and conduct of its affairs. Such by-laws shall not be established or changed except at the regular meetings of the trustees, which shall be held monthly. Annual meetings of the shareholders shall be held before the election in January each year, at which the trustees shall present a report in detail of all their receipts and disbursements during the preceding year.

§ 8. The department of parks of the city of New York, or any other department, or municipal officer, or authority, that may at any time hereafter be legally substituted in its place, is hereby empowered in their or his sole discretion, to permit the corporation hereby created, by a written resolution, or other instrument in writing, to be duly authenticated and recorded in the office of the register in and for the city and county of New York, to establish the said garden within that portion of the city bounded by Seventy-seventh street, Eighty-first street, Eighth avenue and Ninth avenue, originally laid out on the map or plan of the city, and since legally opened as "Manhattan square," and expressly annexed to Central park by the act of the legislature of April twenty-three, eighteen hundred and sixty-four (chapter three hundred and nineteen of the laws of eighteen hundred and sixty-four), and to occupy for said garden any part of the lands within those boundaries, except the portions set apart for the building containing, or to contain "The Museum of Natural History," a portion of which building is already completed, and the remaining portions whereof may be completed from time to time, according to the plan prescribed for the whole. It is hereby expressly provided, that no part of the garden herein-above-mentioned shall be placed or kept within ten feet of the outer walls of any building now erected, or which may be hereafter erected for said museum, or for any addition thereto. Any permission to the said corporation to occupy said lands shall contain the express condition that the said corporation shall and will at any time thereafter, after six months' previous written notice from the public authorities in charge of said parks, surrender to them the whole or any portion of the lands so to be occupied by the said garden, and retain, with the consent of said park commissioners, only the right of removing therefrom any of its plants, shrubbery, or other property.

§ 9. The corporation hereby created shall not be subject to any rent, tax, assessment, or other charge for its occupation of the said lands, which it shall use only for the purposes herein-above-mentioned. It shall at all times have free access to the said lands, and may erect and maintain any hot-houses, green-houses, or other structures needed for such use, and may inclose any portion or portions of such garden by such hedges or other partitions, as may be necessary to protect its trees, plants, shrubbery, and structures from injury. The public shall be allowed full and uninterrupted passage during the day-time across and over all the foot-walks of said garden, and it shall be the duty of the municipal authorities in charge of the parks, at all times to furnish a sufficient police to secure the said garden and its structures from disturbance or pillage.

§ 10. The said corporation shall be at full liberty at any time to discontinue its occupation and use of said lands, and to remove the said garden and its contents to any other portion of the city of New York within the present corporate limits.

§ 11. This bill shall take effect immediately.

CHAPTER 206.

AN ACT regulating the practice in the surrogate's court of the county of New York, respecting testimony taken in contested matters, and as to the issue of letters of guardianship to testamentary guardians.

Passed May 2, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows: Section 1. The stenographer of the surrogate's court of the county of New York, shall hereafter make one plain copy of the minutes of the testimony taken by the said surrogate in all contested matters before him as such surrogate, and the said minutes shall be securely bound in volumes of a convenient size and shape, which said volumes shall be indorsed upon their backs "stenographic minutes," and numbered numerically, beginning with number one.

§ 2. In all such contested matters, the said surrogate shall not hereafter be required to record the testimony taken therein, nor shall he be required to record the testimony heretofore taken in such contested matters, and not yet recorded, but the record thereof shall refer to such testimony as filed in his office, giving the number of the volume and page of the said stenographer's minutes of the said testimony, and where a will has been contested, the fact of such contestation shall be stated in the record thereof.

§ 3. The record of all such contested matters, and the said stenographer's minutes, may be certified by the clerk to the surrogate's court, and shall be as effectual for all purposes as if the said testimony had been recorded in the manner now prescribed by law, and a certified or exemplified copy of the record of all such matters shall be as effectual for all purposes of evidence as if said testimony was annexed to and formed a part of said certified or exemplified copy.

§ 4. A testamentary guardian appointed in any last will and testament which shall be admitted to probate by said surrogate, shall, if he accepts the appointment, qualify within thirty days after said probate, by taking an oath similar to that now required of general guardians, and thereupon said surrogate shall issue letters of guardianship to him, or he may renounce such appointment.

§ 5. If such testamentary guardian does not appear, and qualify or renounce his said appointment within said thirty days, then such proceedings may be taken for his renunciation as may now by law be taken against an executor who fails to qualify or renounce his appointment.

§ 6. Objections may be filed against the issue of letters of guardianship to the testamentary guardian named in any last will and testament by any party interested in the will of the testator, for any of the causes which now render an executor incompetent to act as such, and thereupon such proceedings shall be had as are now by law prescribed, where objections are filed against the issue of letters testamentary to an executor named in any last will and testament.

§ 7. Until letters of guardianship shall be duly issued to a testamentary guardian, he shall have no power or authority over the persons or estates of the minors for whom he is named as such guardian.

§ 8. This act shall take effect immediately.

CHAPTER 274.

AN ACT conferring certain powers on the clerk of the surrogate's court of the county of New York.

Passed May 16, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows: Section 1. The clerk to the surrogate's court of the county of New York may sign and certify any of the records of said court, including the certificate required by law to be endorsed upon last wills and testaments, and also the certificate of the record thereof, and he may also sign and certify all the undersigned records of said surrogate's office in the same manner as the said surrogate is authorized and empowered to sign and certify said records by virtue of chapter nine of the laws of eighteen hundred and seventy-four.

§ 2. The said clerk may also, under and subject to the direction of the surrogate, issue any order of said surrogate's court to which a party is entitled as of course, including orders to show cause where no injunction or stay of proceedings is granted in said order.

§ 3. The certificate and signature of said clerk to said records and orders shall be as effectual for all the purposes thereof as if the same had been made by the said surrogate. But nothing herein contained shall be construed to authorize the said clerk to exercise any of the aforesaid powers, whenever the surrogate shall otherwise direct, or to deprive the surrogate of the power to do the same.

§ 4. This act shall take effect immediately.

CHAPTER 278.

AN ACT in relation to the improvement of the Croton aqueduct in the city of New York.

Passed May 17, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. The comptroller of the city of New York is hereby authorized, empowered and directed to borrow, in the name of the mayor, aldermen, and commonalty of the city of New York, by the issue of bonds or stock, payable at such time as the comptroller shall determine, bearing such rate of interest as he may deem proper, not exceeding seven per centum per annum, such sums of money, not to exceed seventy thousand dollars, as shall be necessary to pay for the lands and material which have been purchased by the department of public works in said city for the improvement of the Croton aqueduct in said city, under authority of section one of chapter two hundred and fifty-two of the laws of eighteen hundred and seventy-five.

§ 2. This act shall take effect immediately.

CHAPTER 289.

AN ACT to provide for the adjustment and payment of a deficiency in the State tax of eighteen hundred and seventy-four, arising out of the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York.

Passed May 19, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
SECTION 1. The comptroller is authorized and directed to cancel, upon the books in his office, a charge of eighty-seven thousand nine hundred dollars and twenty cents, against the county of Westchester, for a deficiency in the State tax of eighteen hundred and seventy-four, with all interest thereon, and of said sum to charge the sum of seventy-six thousand seven hundred and two dollars and eighty-nine cents, with any interest which has accrued or shall accrue thereon, at the rate of three per cent., to the city and county of New York; and to charge the sum of eleven thousand one hundred and ninety-seven dollars and thirty-one cents thereof, with any interest which has accrued or shall accrue thereon, at the rate of three per cent., to the county of Westchester as now constituted.

§ 2. The board of estimate and apportionment of the city and county of New York are authorized and required to include the said amount of seventy-six thousand seven hundred and two dollars and eighty-nine cents, with all interest thereon, in their estimate for the year eighteen hundred and seventy-eight, in addition to the proportion of the State tax for such year to be paid by the said city and county of New York, and the same shall thereupon be raised, levied, assessed and collected by tax upon the estates, real and personal, subject to taxation in said city, in the manner provided by chapter three hundred and thirty-five of the laws of eighteen hundred and seventy-three, with regard to the assessment and collection of taxes in said city.

§ 3. The board of supervisors of the county of Westchester are authorized and required to include the said amount of eleven thousand one hundred and ninety-seven dollars and thirty-one cents, with all interest thereon, in their annual levy and assessment of taxes for the year eighteen hundred and seventy-seven, in addition to the proportion of the State tax for such year to be paid by the said county, and the same shall thereupon be raised, levied, assessed and collected by tax upon the estates, real and personal, subject to taxation in said county in the manner provided by law.

§ 4. The amounts so directed to be levied and collected shall be paid to the comptroller of the state, in full payment and discharge of such deficiency, in addition to the proportion of the State tax for the present year required to be paid by said city and county of New York and said county of Westchester.

§ 5. This act shall take effect immediately.

CHAPTER 295.

AN ACT to provide for the payment of the award made by the board of audit, created under chapter two hundred and twelve of the laws of eighteen hundred and seventy-seven.

Passed May 19, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. The treasurer shall pay, on the warrant of the Comptroller, out of any moneys in the treasury received from the United States on account of war claims, to the treasurer of the city and county of New York, in trust for the ninth regiment, National Guard, State of New York, as a portion of the uniform fund of said regiment, the sum of twenty-one thousand nine hundred and fifty-six dollars and eleven cents, which sum is hereby appropriated for such purpose, payable from moneys so received, being the amount of the award made by the board of audit, created under chapter two hundred and twelve of the laws of eighteen hundred and seventy-seven, as due to said regiment.

§ 2. This act shall take effect immediately.

CHAPTER 298.

AN ACT to provide for payment for the use and occupation of the rooms occupied by the several courts provided for by chapter three hundred and twenty-nine of the laws of eighteen hundred and seventy-four, entitled "An act to re-enact and amend an act entitled 'An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,'" passed May twenty-third, eighteen hundred and seventy-three.

Passed May 21, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. The mayor, aldermen and commonalty of the city of New York are hereby made liable to pay for the use and occupation, by the district court in the city of New York for the tenth judicial district, of the second floor of the building at the northeast corner of the Southern boulevard and Third avenue, in the twenty-third ward of the city of New York, and also for the use and occupation and appurtenances by the sixth police justices' district court, of premises at the southwest corner of Washington avenue and Mott street, in the twenty-fourth ward of the city of New York, between January one, eighteen hundred and seventy-four, and August one, eighteen hundred and seventy-five, such compensation as shall be determined to be fair and reasonable, by a commission consisting of the mayor and comptroller of the city of New York, and such commissioner of the department of taxes and assessments of the said city as the said comptroller shall, and he is hereby directed to designate, within ten days after the passage of this act, the determination of a majority to be the decision of the commission.

§ 2. Claimants may be heard before the commission upon ten days' notice to the department of finance, and upon the hearing, witnesses may be examined for and against the claim. The commissioners are, and each of them is, hereby authorized to administer an oath to witnesses. The attendance of witnesses may be compelled by subpoena, signed by any commissioner.

§ 3. The commissioners, or a majority of them, shall certify and report in writing, and file in the office of the comptroller of the city of New York, their determination upon each claim brought before them, and such determination shall be final and binding upon all parties concerned.

§ 4. The comptroller of the city of New York is hereby authorized and directed to raise such sums of money as may be necessary to make all payments herein provided for by the issue of revenue bonds in anticipation of the taxes of the year eighteen hundred and seventy-eight, and said moneys, so to be raised, shall be paid for the claims referred to in this act. The revenue bonds herein mentioned shall bear interest at the rate of not exceeding seven per cent. per annum.

§ 5. The board of estimate and apportionment of the city of New York are hereby authorized, directed and required to cause to be included in the taxes to be levied and raised in the said city of New York for the year eighteen hundred and seventy-eight, upon the estate subject to taxation in the city and county of New York, an amount sufficient to pay the revenue bonds herein directed to be issued by the said comptroller in anticipation of the collection of the said taxes, with all interest due or to become due thereon.

§ 6. This act shall take effect immediately.

CHAPTER 304.

AN ACT in relation to countersigning warrants for payments from the treasury of the city of New York.

Passed May 21, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. Any warrant hereafter drawn upon the treasury of the city of New York for a less sum than four hundred dollars, after being duly audited and signed by the comptroller of said city, may be signed by the mayor, either personally or by some person designated by him to perform that duty. Such designation shall be in writing, and shall be filed in the office of the city chamberlain, and in the office of the comptroller, and the mayor may in writing revoke such designation, which revocation shall be filed in the office of the comptroller.

§ 2. This act shall continue in force only until the first day of January, eighteen hundred and seventy-nine.

§ 3. This act shall take effect immediately.

CHAPTER 315.

AN ACT further to amend chapter three hundred and twenty of the laws of eighteen hundred and seventy-two, entitled "An act to amend an act in relation to the rates of wharfage, and to regulate piers, wharves, bulkheads, and slips, in the cities of New York and Brooklyn."

Passed May 22, 1877.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. Section one of chapter three hundred and twenty of the laws of eighteen hundred and seventy-two, entitled "An act to amend an act in relation to the rates of wharfage, and to regulate piers, wharves, bulkheads, and slips, in the cities of New York and Brooklyn," is hereby further amended so as to read as follows :

§ 1. It shall be lawful to charge and receive, within the cities of New York, Brooklyn, and Long Island City, wharfage and dockage at the following rates, namely : From every vessel that uses or makes fast to any pier, wharf, or bulkhead within said cities, or makes fast to any vessel lying at such pier, wharf, or bulkhead, or to any other vessel lying outside of such vessel, for every day or part of a day, as follows : From every vessel of two hundred tons burden and under, two cents per ton, and for every vessel over two hundred tons burden, two cents per ton for each of the first two hundred tons, and one-half of one cent per ton for every additional ton, except that all canal boats navigating the canals of this State, vessels known as North river barges, market boats, oyster boats and barges, sloops employed upon the rivers and waters of this State, and schooners exclusively employed upon the rivers and waters of this State, shall pay the same rates as such boats or barges were liable to pay under the provisions of the act passed April tenth, eighteen hundred and sixty ; but no boat or vessel over fifty tons burden shall pay less than fifty cents for a day or a part of a day, and the class of sailing vessels now known as lighters, shall be at one-half the first above rates ; but every other vessel making fast to a vessel lying at any pier, wharf, or bulkhead within said cities, or to another vessel outside of such vessel, or at anchor within any slip or basin, when not receiving or discharging cargo or ballast, one-half the first above rates ; and from every vessel or floating structure, other than those above-named, or used for transportation of freight or passengers, double the first above rates, except that floating grain elevators shall pay one-half the first above rates ; and every vessel that shall leave a pier, wharf, bulkhead, slip, or basin, without first paying the wharfage or dockage due thereon, after being demanded of the owner, consignee, or person in charge of the vessel, shall be liable to pay double the rates established by this act.

CHAPTER 317.

AN ACT in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes.

Passed May 22, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. At any time within one year, after the passage of this act, any person may pay to the comptroller of the city of New York the amount of any tax upon real property belonging to such person, heretofore laid or imposed and now remaining unpaid, together with interest, at eight per cent. per annum, to be calculated from the time that such tax was imposed to the time of such payment, and the comptroller shall make and deliver to the person so making such payment a receipt therefor, and shall forthwith cancel the record of any such tax. Upon such payment such tax shall cease to be a lien upon the property and shall be deemed fully paid, satisfied and discharged, and there shall be no right to any further interest or penalty by reason of such tax not having been paid within the time heretofore required by law, or by reason of any statute heretofore passed requiring the payment of any penalty or interest over seven per cent upon any unpaid tax.

§ 2. Any revenue bonds heretofore issued in anticipation of the taxes in the first section specified, which may fall due and become payable before such taxes are collected, may be reissued by the comptroller of said city, in whole or in part, for such period as he may determine, not exceeding one year.

§ 3. This act shall take effect immediately.

CHAPTER 323.

AN ACT for the relief of William McDonald, for materials supplied for the repairs of certain roads in the city of New York.

Passed May 25, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. The comptroller of the city of New York is hereby authorized and required to examine into the claim of William McDonald for materials supplied to the mayor, aldermen and commonalty of the city of New York, and used by the officers of said city in repairing Kingsbridge road in said city, from the fourteenth day of July, eighteen hundred and sixty-nine, to the seventeenth day of June, eighteen hundred and seventy; and upon proof, which shall be satisfactory to said comptroller, that said materials were supplied in good faith, and appropriated and used in repairing the roads of said city, said comptroller shall audit and certify the amount which he shall find to be justly due as the value of said materials, not to exceed the sum of twenty-five hundred dollars, and shall report the same to the board of estimate and apportionment of said city, who shall thereupon make an appropriation for the payment of the amount so audited and certified, and the said comptroller shall thereupon draw his warrant upon the treasury of the city of New York for said amount, and deliver the same to the said William McDonald.

§ 2. This act shall take effect immediately.

CHAPTER 418.

AN ACT to provide for paying for services and materials furnished in caring for and burying certain members of the national guard killed and wounded in public service.

Passed June 5, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. The comptroller of the city of New York is hereby authorized and required to examine, adjust, and pay, as he may think just and equitable, the claims of Stephen Merritt and others now on file in the department of finance in said city, for medical attendance and services performed and materials furnished in caring for and burying members of the national guard, State of New York, killed and wounded while in the discharge of their duty in suppressing a riot in the city of New York, on the twelfth day of July, eighteen hundred and seventy-one; provided that the amount allowed and paid on account of said claims shall not exceed the sum of eighteen hundred dollars.

§ 2. To provide funds for the payment of said claims, the comptroller is hereby authorized to borrow such amount as may be necessary upon revenue bonds of the city of New York, payable within the next fiscal year after issue, and for the redemption of which the board of estimate and apportionment shall make provision in the next annual estimates.

§ 3. This act shall take effect immediately.

*So in the original.

CHAPTER 434.

AN ACT to amend chapter one hundred and eighty-four of the laws of eighteen hundred and sixty-six, entitled "An act for the better protection of seamen in the port and harbor of New York."

Passed June 8, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :
Section 1. Section three of chapter one hundred and eighty-four of the laws of eighteen hundred and sixty-six, entitled "An act for the better protection of seamen in the port and harbor of New York," is hereby amended so as to read as follows :

§ 3. It shall not be lawful for any sailors' hotel or sailors' boarding-house keeper, or the employees of any sailors' hotel or boarding-house keeper, to engage in the business of shipping seamen for any vessel, nor for any such person having boarded any vessel made fast to any wharf in the port of New York, to neglect or refuse to leave said vessel after having been ordered so to do by the master or person having charge of such vessel.

§ 2. Section six of said act is hereby amended so as to read as follows :

§ 6. There shall be, and is hereby created, a board denominated a board of commissioners for licensing sailors' hotels or boarding-houses in the cities of New York and Brooklyn, consisting of one person, to be selected by each of the following corporate bodies or associations, respectively, to wit : The Chamber of Commerce of the State of New York ; the American Seamen's Friend Society, in New York ; the New York Board of Underwriters ; the Marine Society of New York ; the Society for promoting the Gospel among Seamen in the port of New York, and the Shipowners' Association of the State of New York.

CHAPTER 442.

AN ACT to authorize a recovery at law for certain printing done for, and stationery furnished to, the boards of aldermen and assistant aldermen in the city of New York.

Passed June 15, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows: Section 1. The plaintiff in an action now pending in the supreme court of this State, against the mayor, aldermen and commonality of the city of New York, for certain printing done for, and stationery furnished to the boards of aldermen and assistant aldermen of said city, in the year one thousand eight hundred and seventy-two, may prosecute the same and recover judgment therein, notwithstanding that the bill has not been audited by the board of assistant aldermen; provided that he shall prove upon the trial of such action to the satisfaction of the court and jury, that such printing and stationery were properly ordered by the regularly authorized officers of such boards; that such printing was actually done, and such stationery actually furnished, to the proper officers duly authorized to receive the same by such boards; and that the bill therefor was duly audited by the board of aldermen; but the said court and jury shall only allow to the said plaintiff what they shall deem to have been the fair and just market value and price in the said year for said printing and stationery, and the principal sum recovered by said plaintiff shall not exceed in any event the sum of one thousand five hundred and seventy-six dollars and fifty-three cents. But nothing in this act contained shall be construed to prevent the interposition of any defense legal or equitable to this action except the defense, that the bill was not audited by said board of assistant aldermen.

§ 2. This act shall take effect immediately.

CHAPTER 444.

AN ACT to repeal an act entitled "An act to alter the map or plan of the city of New York by laying out thereon a parade ground, and to authorize the taking of the same," passed April twentieth, eighteen hundred and seventy-one, and to provide for the payment of compensation for loss and damage to certain owners of land affected by said act.

Passed June 15, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows: Section 1. The act entitled "An act to alter the map or plan of the city of New York by laying out thereon a public place for a parade ground, and to authorize the taking of the same," passed April twentieth, eighteen hundred and seventy-one, is hereby repealed.

§ 2. The supreme court at any special term thereof to be held within the first judicial district within the three months next after the passage of this act, upon the application of any owner of any real estate situated within the boundaries of the plot of land laid out for a military parade ground on the map heretofore filed pursuant to the provisions of the act hereby repealed, shall make an order requiring the counsel to the corporation of the city of New York, and all persons claiming to be entitled, as the owners of any real estate situated within such boundaries, to any compensation for loss or damage arising from or by reason of the laying out of said parade ground as aforesaid, or the proceedings heretofore taken pursuant to the said act, or by reason of the repeal of said act, to show cause at a special term of said court, to be held at a time specified in said order, why commissioners of appraisal should not be appointed to appraise and estimate such damage. And a notice containing a recital of the provisions of said order shall be served on the counsel to the corporation and shall be published twice in each week for three weeks consecutively in three daily newspapers published in said city. Upon the return of said order to show cause, the said court shall hear the parties appearing in such proceeding and shall appoint three discreet persons as commissioners of appraisal to estimate and determine such loss and damage to the petitioner, and to all other persons claiming to be entitled thereto. Such commissioners shall thereupon proceed to estimate and determine such loss and damage, legal or equitable, if any, and for that purpose, shall hold public sessions at which proof may be offered by any persons claiming such compensation, and by the counsel to the corporation, who shall appear in said proceedings in behalf of the mayor, aldermen and commonality of said city. The said commissioners shall, within the three months succeeding their appointment, present to said court at special term, the report of their proceedings, in which they shall set forth the amount of compensation for any such loss or damage awarded by them to the respective claimants; eight days' notice of the presentation of said report shall be given to all parties who shall have appeared before said commissioners or to their attorneys, and to the counsel to the corporation. Upon the presentation of said report, the court shall hear the several parties appearing in support or in opposition thereto and shall either confirm said report or send the same back to such commissioners for correction. If said report shall be confirmed the same shall thereupon be in all things final and conclusive in respect to any damage and compensation which might be awarded pursuant to the provisions of this act as well against the mayor, aldermen and commonality of said city as against any and all person or persons whomsoever, except for the purpose of an appeal as herein provided. If said report shall not be confirmed, but shall be sent back to said commissioners, the said commissioners shall thereupon revise and correct the same, and shall again make a report to said court, and such procedure shall be repeated and continued until a report shall be presented which shall be confirmed by the court. Whenever any such report shall be confirmed any sum or amount thereby awarded for loss and damage as aforesaid, and the amount of costs and expenses of such proceedings in the discretion of the court not to exceed the sum of three thousand dollars, to be taxed by the court, shall be and become a debt of and a charge against the mayor, aldermen and commonality of the city of New York, and shall be paid by the comptroller of said city to the several persons entitled thereto, under the provisions of the order of confirmation. The comptroller and board of estimate and apportionment are hereby authorized and directed to issue bonds of said city for the purpose of providing funds with which to pay such awards and said costs and expenses in the same manner and form as bonds issued in anticipation of the collection of taxes, and the amount required to pay said bonds shall be raised by tax in the annual taxation in the city and county of New York, in the succeeding years. An appeal may be taken to the general term of the supreme court from any decision of the court at special term in the proceedings above provided for. Nothing herein contained shall be construed to legalize, confirm or recognize as valid or equitable any claim or claims heretofore mentioned; but the legality or equity of any and all such claims shall be determined by said commissioners and by the court upon the hearing of their report.

§ 3. This act shall take effect immediately.

CHAPTER 445.

AN ACT to provide for perfecting and perpetuating the right and title of the city of New York to property, water, water-rights and privileges heretofore taken or used, or which may be hereafter taken or used by said city to increase the supply of pure and wholesome water for the use of said city, and to provide for the payment and extinguishment of all claims or damages growing out of such taking or using.

Passed June 15, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows: Section 1. In all cases where the commissioner of public works of the city of New York shall have heretofore entered upon, taken or used, or shall hereafter enter upon, take or use, or shall deem it necessary to enter upon, take or use the waters of any lake, or any upland, or land under water, or water rights or privileges, or any incorporeal hereditaments, or any other property, for the purpose of maintaining, preserving or increasing the supply of pure and wholesome water for the use of said city, the said commissioner is authorized for and in behalf, and in the name of the mayor, aldermen and commonality of the city of New York, in the manner hereinafter prescribed, to acquire all rights, titles and interests in and to such real estate by whomsoever the same may be held, enjoyed or claimed, and to pay for and extinguish all claims or damages on account of such rights, titles or interests, or growing out of such taking or using.

§ 2. The said commissioner, his engineers, surveyors and such other persons as may be necessary to enable him to perform his duties under this act, are hereby authorized to enter upon any land or water for the purpose of making surveys or examinations, and to agree with the owners, occupants or claimants of any real estate which may have been required or damaged, or which hereafter may be required or damaged in carrying into effect the provisions of this act, as to the amount of compensation to be paid to such owners, occupants or claimants, and the time and manner of such payments. And in case any such real estate shall be owned, occupied or enjoyed by the people of this State, or by any county, town or school district within this State, such rights, titles, interests or properties may be paid for upon agreement respectively with the commissioners of the land office, who shall act for the people of this State, with a chairman and a majority in numbers of the board of supervisors of any county who shall act for such county, and with the supervisor and commissioners of highways in any town who shall act for such town and with the trustees of any school district that shall act for such district.

§ 3. In case the said commissioner of public works is unable to agree with the said owner or owners, occupant or occupants, claimant or claimants of any such real estate, or with any or either of such officers, as to the sum or sums to be paid for the acquisition or extinguishment of any such real estate, or of any right, title or interest thereto or therein, for carrying into effect the purposes of this act, the said commissioner of public works shall have the right to acquire such real estate, or to extinguish any such right, title or interest thereto or therein, for the mayor, aldermen and commonality of the city of New York in the manner and by the special proceedings hereinafter provided.

§ 4. For the purpose of acquiring any such real estate or of extinguishing any right, title, interest thereto or therein, the said commissioner of public works, for and in behalf of the said mayor, aldermen and commonality of the city of New York may present a petition praying for the appointment of commissioners of appraisal to the supreme court, at any general or special term thereof, held in the district in which the real estate described in the petition may be situated, such petition shall be signed and verified according to the practice of such court. It must contain a general description of the real estate which the said commissioner seeks to acquire, and of the rights, titles and interests therein which he seeks to extinguish, and also a general statement of the names and places of residence of the parties, so far as the same can be ascertained by reasonable diligence, who own, occupy or enjoy, or who claim to own, occupy or enjoy, any such real estate, or any right, title or interest therein, and if any of such persons are infants, their ages, as near as may be, must be stated; and if any of such persons are idiots, or persons of unsound mind, or are unknown, that fact must be stated, together with such other allegations and statements of liens or incumbrances upon such rights, titles and interests as the said commissioner may see fit to make. A copy of such petition, with a notice of the time and place the same will be presented to the supreme court, must be served on all persons whose interests are to be affected by the proceedings at least ten days prior to the presentation of the same to the said court.

1. If the person on whom such service is to be made resides in this State and is not an infant, idiot, or person of unsound mind, service of a copy of such petition and notice must be made on him, or his agent or attorney, authorized to contract for the sale or surrender of the real estate described in the petition, personally, or by leaving the same at the usual place of residence of the person on whom such service must be made as aforesaid with some person of suitable age.

2. If the person on whom such service is to be made resides out of the State, and has an agent residing in this State, authorized to contract for the sale or surrender of the property described in the petition, such service may be made on such agent, or on such person, personally, out of the State, or it may be made by publishing the notice, stating briefly the object of the application and giving a description of the property to be taken or affected, in the State paper, and in a paper printed in the county in which the real estate taken or affected is situated, once in each week for one month next previous to the presentation of the petition; and if the residence of such persons residing out of this State, but in any of the United States, or any of the British colonies in North America, is known, or can, by reasonable diligence, be ascertained, the said commissioner must, in addition to such publication as aforesaid, deposit a copy of the petition and notice in the post-office, properly folded and directed to such person at the post-office nearest his place of residence at least two weeks before presenting such petition to the court, and pay the postage chargeable thereon in the United States.

3. If any person on whom such service is to be made is under the age of twenty-one years, and resides in this State, such service shall be made as aforesaid on his general guardian, or if he has no such guardian, then on such infant, personally, if he is over the age of fourteen years, and if under that age, then on the person who has the care of such infant, or with whom such infant resides.

4. If the person on whom such service is to be made is an idiot, or of unsound mind, and resides in this State, such service may be made on the committee of his person or estate, or if he has no such committee, then on the person who has the care or charge of such idiot or person of unsound mind.

5. If the person on whom such service is to be made is unknown, or his residence is unknown and cannot be ascertained by reasonable diligence, then such service may be made under the direction of the court by publishing a notice, stating the time and place the petition will be presented, the object thereof, with a general description of the property to be affected by the proceedings, in the State paper, and in a paper printed in the county where the property is situated, once in each week for two weeks previous to the presentation of such petition.

6. In case any party to be affected by the proceedings is an infant, idiot, or person of unsound mind, and has no general guardian or committee, the court shall appoint a special guardian or committee to attend to the interests of such person in the proceedings; but if a general guardian or committee has been appointed for such person in this State, it shall be the duty of such general guardian or committee to attend to the interests of such infant, idiot, or person of unsound mind, and all notices required to be served in the progress of the proceedings, may be served on such general or special guardian or committee.

7. In case the people of this State, or any county of this State, or any town in this State, or an common school district within this State, or any corporation organized under the laws of this State, shall own, occupy, or enjoy any real estate which is to be acquired or affected in carrying into effect the purposes of this act, such notice and petition may be served in the manner hereinbefore prescribed, upon the following officers respectively: upon the clerk to the commissioners of the land office, in behalf of the people of the State; upon the clerk of the board of supervisors of any county, in behalf of such county, and upon the supervisor of any town, and the commissioners of highways in any town, in behalf of such town; upon the trustees of any school district, in behalf of such district; and upon the acting chief executive officer of any corporation, in behalf of such corporation.

8. In all cases not herein otherwise provided for, service of orders, notices, and other papers in the special proceedings authorized by this act, may be made as the supreme court shall direct.

§ 5. On presenting such petition to the supreme court as aforesaid, with proof of service of a copy thereof and notice as aforesaid, all or any of the parties whose estates or interests are to be affected by the proceedings may show cause against granting the prayer of the petition, and may disprove any of the facts alleged in it. The court shall hear the proofs and allegations of the parties, and if no sufficient cause is shown against granting the prayer of the petition, it shall make an order for the appointment of three disinterested and competent freeholders, who reside in the county (or some adjoining county), where the property to be appraised is situated, commissioners to ascertain and appraise the compensation to be made to the parties interested in the real estate proposed to be taken or affected, or theretofore taken, or affected in such county for the purposes indicated in this act, and to fix the time and place for the first meeting of the commissioners.

§ 6. The said commissioners shall take and subscribe the oath prescribed by the twelfth article of the constitution. Any one of them may issue subpoenas and administer oaths to witnesses, and any such witness sworn and examined and testifying falsely shall be deemed guilty of perjury, and shall be liable to the pains and penalties imposed by law for that offense. Such subpoenas may be served within this State by any person, and must be served by any sheriff or constable when thereunto required; in case of the failure or refusal of any witness so subpoenaed to obey such subpoena, or to answer any question, or to produce any books or papers when thereunto required by a majority of the said commissioners, the commissioners, or a majority of them, shall report such failure or refusal to a justice of the supreme court in said judicial district, in which such commissioners were appointed before whom the same proceedings shall thereupon be had, as though such failure or refusal were that of a witness duly subpoenaed to appear and testify upon the trial of an action before such justice, and such justice shall in all respects proceed as though such subpoena had issued out of the court in which he presides; a majority of such commissioners may adjourn the proceedings before them, from time to time, in their discretion. Whenever they meet, except by appointment of the court, or pursuant to adjournment, they shall cause reasonable notice to be given to the parties interested, or their agent or attorney. They shall view the property described in the petition, and hear the proofs and allegations of the parties, and reduce the testimony taken by them, if any, to writing, and after the testimony in each case is closed, they, or a majority of them, all having an opportunity to be present, shall, without any unnecessary delay, and before proceeding to the examination of any other claim, ascertain and determine the compensation which ought justly to be made by the said mayor, aldermen, and commonality of the city of New York, to the owners or the persons interested in the rights, titles, and privileges to be acquired or affected by the said proceeding. They, or a majority of them, shall also determine what sum ought to be paid to the general or special guardian or committee of an infant, idiot, or person of unsound mind, or to an attorney appointed by the court to attend to the interests of any unknown owner or party in interest, not personally served with notice of the proceedings, and who has not appeared, for costs, expenses and counsel fees. They, or a majority of them, shall also (but not in excess of any request therefor made in behalf of the city), determine the height to which the waters of any lake or natural stream, concerning which such proceedings are instituted may be raised, and the point to which such waters may be drawn down by the said the mayor, aldermen and commonality of the city of New York, such determination to be made before any award of damage shall be made on account of such proposed raising or depressing of such waters. The said commissioners shall make a report of their proceedings to the supreme court, with the minutes of the testimony taken by them, if any; and they shall be entitled to the payments hereinafter provided for their services and expenses, to be paid from the fund hereinafter provided.

§ 7. On such report being made by said commissioners, the counsel to the corporation of the city of New York shall give notice to the parties, or their attorneys, to be effected* by the proceedings, according to the rules and practice of said court at a general or special term thereof for the confirmation of such report, and the court shall thereupon confirm such report, and shall make an order containing a recital of the substance of the proceedings in the matter of the appraisal and a general description of the real estate appraised, for which compensation is to be made; and shall also direct to whom the money is to be paid, or in what bank and in what manner it shall be deposited by the comptroller of the city of New York.

§ 8. A certified copy of the order so to be made as aforesaid shall be recorded, at full length, in the office of the clerk of the county in which the real estate described in it is situated, and thereupon, and on the payment or deposit by the comptroller of the city of New York of the sums to be paid as compensation for the acquisition of such real estate, or for the extinguishment of any right, title or interest therein, and for the costs, expenses and counsel fees as directed by said order, the said commissioner of public works, for and in behalf of the said the mayor, aldermen and commonality, shall be entitled to enter upon, take possession and use the said real estate for the purposes indicated in this act, and all parties mentioned in this act who shall have been made parties to the proceedings, together with all parties claiming or to claim, by, through or under them, shall be forever divested and barred of all right, estate and interest in such real estate, and of all claim for any damage on account of the taking, using or affecting of such real estate, or of any right, title, interest therein. All real estate acquired by the said the mayor, aldermen and commonality of the city of New York,

* So in the original.

under and pursuant to the provisions of this act, shall be deemed to be acquired for public use. Within twenty days after the confirmation of the report of the commissioners, as provided for in the seventh section of this act, either party may appeal, by notice in writing, to the other to the supreme court from the appraisal and report of the commissioners. Such appeal shall be heard by the supreme court at any general or special term thereof on due notice thereof being given, according to the rules and practice of said court. On the hearing of such appeal, the court may direct a new appraisal and determination of any question passed upon before the same or new commissioners in its discretion, but from any determination of the general term, either party, if aggrieved, may take an appeal, which shall be heard and determined by the court of appeals. In case of a new appraisal, the second report shall be final and conclusive on all the parties interested. If the amount of compensation to be made by the said city is increased by the second report, the difference shall be a lien on the real estate appraised, and shall be paid by the comptroller of the city of New York to the parties entitled to the same, or shall be deposited in bank as the court may direct, and if the amount is diminished, the difference shall be refunded to the said the mayor, aldermen and commonalty of the city of New York by the party to whom the same may have been paid, and judgment therefor may be rendered by the court, on the filing of the second report, against the party liable to pay the same. Such appeal shall not affect the possession by the said city of New York of the real estate appraised; and when the same is made by others than the said city it shall not be heard except on the stipulation of the party appealing not to disturb such possession.

§ 9. If there are adverse and conflicting claimants to the money, or any part of it to be paid as compensation for the real estate taken or affected, the court may direct the money to be paid into the said court by the said comptroller, and may determine who is entitled to the same, and direct to whom the same shall be paid, and may, in its discretion, order a reference to ascertain the facts on which such determination and order are to be made.

§ 10. The court shall appoint some competent person to appear for and protect the rights of any party in interest who is unknown, or whose residence is unknown, and who has not appeared in the proceedings by an attorney or agent. The court shall also have power, at any time, to amend any defect or informality in any of the special proceedings authorized by this act as may be necessary, or to cause new parties to be added and to direct such further notices to be given to any party in interest as it deems proper, and also to appoint other commissioners in place of any who shall die or refuse or neglect to serve or be incapable of serving.

§ 11. If, at any time, after an attempt to acquire title by appraisal of damages or otherwise, it shall be found that the title thereby attempted to be acquired is defective, the said city may proceed anew to acquire or perfect such title in the same manner as if no appraisal had been made, and at any stage of such new proceedings the court may authorize the said city, if in possession, to continue in possession, and if not in possession, to take possession and use such real estate during the pendency and until the final conclusion of such new proceedings, and may stay all actions or proceedings against the said city on account thereof on the comptroller of said city paying into court such sum as the court may direct, to pay the compensation therefor when finally ascertained, and in every such case, the party interested in such real estate may conduct the proceedings to a conclusion if the said city delays or omits to prosecute the same. And if, at any time, the said city shall require, for the purposes indicated in this act, to acquire any additional real estate, or to extinguish any other or further rights, titles, interests therein in addition to that which it has already acquired or extinguished, such city may acquire such additional real estate or extinguish such additional rights, titles, interests therein, or any such real estate, or any right, title or interest therein which it now uses or occupies, or which it has heretofore used or occupied, by purchasing the same of the persons or parties owning the same, or interested therein, or affected by such proceedings, and by paying to such parties such damage as they may sustain by reason thereof if the amount of such compensation or damages can be agreed upon between such commissioner of public works and such persons or parties; and if such commissioner of public works shall, for any cause, be unable to agree for the purchase of such real estate, or shall be unable to agree upon the sum which shall be paid to such persons or parties in satisfaction of the damages they may sustain, or if the title to any such real estate or rights already acquired or extinguished, or attempted to be acquired or extinguished, shall, for any cause, prove defective or imperfect, then and in every such case such commissioner of public works may proceed to acquire and perfect title to such real estate or rights, and to ascertain and appraise such damages in the manner and by the proceedings hereinbefore in this act prescribed.

§ 12. The commissioners of the land office shall have power to grant to the said city any real estate belonging to the people of this State which may be required for the purposes indicated in this act, on such terms as may be agreed on between them and the said commissioner of public works, always, however, reserving and maintaining the rights of the people and riparian owners to go to the water at any point to which the same may be drawn; and if any real estate of any county, town or school district is required by such city for the purposes of this act, the majority of the board of supervisors acting for such county, or the supervisor of any such town, with the commissioners of highways therein acting for such town, or the trustees of any school district acting for such district, may grant or surrender such real estate for such compensation as may be agreed upon between such officers, respectively, and the said commissioner of public works.

§ 13. In case any real estate required by said city for the purposes of this act shall be vested in any trustee not authorized to sell, release and convey the same, or in any infant, idiot, or person of unsound mind, the supreme court shall have power, by a summary proceeding, on petition, to authorize and empower such trustee or general guardian or committee of such infant, idiot, or person of unsound mind, to sell, convey or surrender the same to the said city on such terms as may be just; and in case any such infant, idiot, or person of unsound mind has no general guardian or committee, the court may appoint a special guardian or committee for the purpose of making such sale, surrender or conveyance, and may require such security from such general or special guardian or committee as said court may deem proper. But before any conveyance or release authorized by this section shall be executed, the terms on which the same is to be executed shall be reported to the court on oath, and if the court is satisfied that such terms are just to the party interested in such rights, titles, interests or property, the court shall confirm the report and direct the proper conveyance or release to be executed, which shall have the same effect as if executed by an owner of such rights, titles, interests or property having legal power to sell, surrender and convey the same.

§ 14. In all cases where the commissioner of public works shall have heretofore entered upon, taken or used, any real estate, either with or without the license of the owner thereof, for the purpose of increasing the supply of water for the city of New York, and the title to such real estate shall not have been acquired by said city either by purchase or by any proceedings under any existing law and the said city, by any of its officers, agents or employees, shall be in possession thereof at the time this act shall take effect, and such possession shall be continued for the period of sixty days thereafter, such possession shall be deemed an election on the part of said city to take such real estate under and pursuant to the provisions of this act, and in that case it shall be the duty of the corporation counsel, at the expiration of said sixty days, to make the necessary application for the appointment of commissioners pursuant to the provisions of this act to appraise the damages and compensation to be paid for the taking and using of the same. The performance of such duty may be enforced by the supreme court by mandamus on the application of any owner of claimant of the real estate so taken or used, and upon the hearing before the commissioners appointed upon such application they shall, if requested by said owners or claimants, also appraise and determine the amount of damages sustained by said owners or claimants, respectively, by reason of any use or occupation of said real estate by said city, or any of its officers or agents, before the making of such application. The said commissioners shall, in their report, state the amount of damages so ascertained and determined by them, and the amount thereof shall form a part of the amount required to be paid by said city before the right and title to the real estate specified in said report shall be vested in said city as hereinbefore provided. Upon such hearing all of the provisions of this act in relation to compelling the attendance of witnesses, and the examination thereof, shall apply to the claim for damages growing out of such use and occupation.

§ 15. As to any damages which may have accrued to the owner or claimant of any real estate as to which the proceedings provided by this act may be instituted, before such proceedings shall have been instituted, this act shall not be taken or construed to deprive any party of a right to a trial by jury of the question of such damage, and the said commissioners shall estimate and determine such damages, and the compensation to be made therefor, only upon the consent of all the parties thereto. Such consent, however, shall be conclusively presumed as against any party who shall appear and take part in the proceedings to determine the amount of such damage, without first entering an objection to the determination thereof by such commissioners. In absence of such objection, but not otherwise, the said commissioners shall proceed to final determination of such question.

§ 16. The term real estate, as used in this act, shall be construed to signify and embrace all uplands, lands under water, the waters of any lake, pond, or stream, all water rights or privileges, and any and all easements and incorporeal hereditaments, and every estate, interest and right, legal and equitable, in lands or water, including terms for years, and liens thereon by way of judgment, mortgage, or otherwise, and also all claims for damage to such real estate.

§ 17. The commissioners appointed in pursuance of this act shall receive as compensation the sum of ten dollars per day for each day actually employed. They may employ the necessary clerks and surveyors. The salaries of the commissioners and of their employees, and the necessary traveling expenses and other expenses incurred in and about such special proceedings, shall be paid by the said comptroller, as provided for in this act, on the certificate of the commissioner of public works of the city of New York.

§ 18. For the purpose of preventing any waste of water, the commissioner of public works of the city of New York is hereby authorized to construct such aqueducts, reservoirs, dams, sluices, canals and appurtenances as may be necessary to collect or retain the water in or from any lakes or streams which may be taken under the operation of this act, and use such waters as the wants and necessities of said city may require, provided that nothing contained in this or in any existing act shall authorize or permit any water in excess of the ordinary flow thereof to be drawn from Lake Mahopac and Lake Glendon, in the town of Carmel and county of Putnam, between the first day of

* So in the original.

March and the first day of September in any year; and provided also that nothing in this or in any existing act contained shall be so construed as to interfere with any existing right to catch fish, obtain ice, or keep, use, and maintain boats in or upon any natural lake or pond which may be acquired under this act, nor shall it be so construed as to destroy any existing right of riparian owners upon such lakes and ponds to use the waters thereof, or to build upon the shores thereof, except as such rights may be affected by the raising or lowering of the waters of such lake or ponds, as hereinbefore prescribed.

§ 19. It shall be the duty of the comptroller of the city of New York, and he is hereby authorized and directed, on requisition of the commissioner of public works of the city of New York, to raise, from time to time, on bonds of said city, amounts of money sufficient to pay the sums which may be necessary, from time to time, to be paid for the acquisition of any real estate, or for the extinguishment of any right, title, interest therein, to be acquired or extinguished under this act, together with all expenses necessarily incurred in surveying, locating, and acquiring title to real estate, or extinguishing claims for damages thereto; and also all such sums as, from time to time, may be found necessary for the construction of aqueducts, reservoirs, dams, sluices, canals and appurtenances as are now in process of construction; and all such payments shall be made by the comptroller on the certificate of the commissioner of public works of the city of New York; provided, however, the amount so raised shall not, in any one year, exceed the limitations which, by law, may be or may have been imposed as to the amount of expenditure to be made by the commissioner of public works.

§ 20. The bonds so to be issued by the comptroller of the city of New York, in pursuance of this act, shall be entitled "additional Croton water stock of the city of New York," shall bear interest at the rate of not exceeding seven per cent. per annum, and shall be redeemable in not less than ten nor more than fifty years, as the said comptroller shall determine to be for the best interest of the said city; and the board of aldermen of the city of New York is hereby authorized and directed to raise, from time to time, by tax upon the estates, real and personal, subject to taxation in the city and county of New York, the sum or sums of money which may be required to pay the interest on said bonds, and to redeem them at maturity. The mayor and comptroller of said city are hereby authorized and directed to sign said bonds, and it shall be the duty of the clerk of the board of aldermen to countersign the same, and to affix thereto the seal of the city. Such bonds shall not be disposed of at less than the par value thereof.

§ 21. The said city of New York is hereby required to repair and forever maintain the highways built or in process of construction by the said city around the new reservoir, on the middle branch of the Croton river, in the town of South East.

§ 22. All actions for the recovery of real property, or of any estate or interest therein, or for the determination in any form of such right or interest, and for injuries to real estate, brought under the provisions of this act, shall be brought and tried in the county in which the subject of the action, or some part thereof, is situated, subject to the powers of the court to change the place of trial in cases provided by statute.

§ 23. If in any particular it shall at any time be found necessary to amend any pleading, proceeding, process, or action, or to supply any defect therein, arising in the course of any special proceeding authorized by this act, the same may be amended or supplied in such manner as shall be directed by the supreme court, which is hereby authorized to make such amendment or correction.

§ 24. All acts and parts of acts inconsistent with this act are hereby repealed.

§ 25. This act shall take effect immediately.

CHAPTER 454.

AN ACT in relation to the change of grades of streets and avenues in the twenty-third and twenty-fourth wards of the city of New York.

Passed June 16, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All persons owning lands and premises in the twenty-third and twenty-fourth wards of the city of New York shall be entitled to compensation for all damages to their buildings and improvements resulting from the change of the grade of the street or avenue running in front of the lands and premises owned by them, where such grade has been or shall be changed by the department of public parks of the city of New York, or other department or competent authority of said city, in the following cases:

1. Where the original grade has been established by the board of trustees of the town of Morrisania, or by the commissioners appointed by chapter eight hundred and forty-one of the laws of eighteen hundred and sixty-eight, or by any commissioners appointed by any act of the legislature of this State, where, in either case, the street or avenue has been graded in accordance with such grade, or where, in either case, the buildings and improvements have been erected or made since the establishment of such grade.

2. Where the original grade has been heretofore established by said department of public parks, or shall hereafter be established by said department, or by any department or competent authority in said city, where the street or avenue has been or shall be graded in conformity to such grade, or where the buildings and improvements have been or shall be erected or made subsequent to the establishment of such grade.

§ 2. Such damages shall be ascertained and assessed in connection with, and as a part of the expense of, the grading of the street or avenue, in conformity with the grade as changed; provided, however, that in cases where the street or avenue has been heretofore graded in conformity with the grade as changed, and an assessment of the expense thereof has been levied and made final, no damages shall be allowed or recoverable under this act, but where no assessment has been levied and made final, damages shall be allowed and be recoverable as hereinbefore provided.

§ 3. This act shall take effect immediately.

CHAPTER 473.

AN ACT to provide for the determination and payment of claims for goods, merchandise and material furnished, and labor performed, in fitting up and furnishing armories and drill rooms in the city of New York.

Passed June 22, 1877; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Whenever any building or buildings in the city of New York, between the first day of January, eighteen hundred and seventy-one, and the first day of May, eighteen hundred and seventy-six, has or have been in whole or in part, actually used and occupied as an armory or drill room or rooms, for any regiment or other organization of the national guard of the State of New York, assigned to such building or buildings, and whenever any goods, merchandise, or materials have been furnished, or labor performed in fitting up and furnishing any such armory or drill room or rooms for the use of such regiments or organizations, it shall be lawful for the comptroller of the city of New York to, and he shall, and the mayor, aldermen, and commonalty of the city of New York are hereby made liable to pay for such goods, and merchandise and materials, and labor as shall have been found actually necessary and requisite for the exclusive uses and purposes of an armory and drill room, and shall have not already been paid for, such compensation as shall be awarded by a commission consisting of the mayor and comptroller of the city of New York, and such commissioner of the department of taxes and assessments of the said city as the said comptroller shall, and he is hereby required to designate, within ten days after the passage of this act; the determination of a majority to be the decision of the commission.

§ 2. Claimants may be heard before such commission, upon ten days' notice to the department of finance, and upon the hearing, witnesses may be examined and evidence introduced for and against the claim. Due notice of the hearing shall be given by each claimant to the corporation counsel of the city of New York, whose duty it shall be to attend on such hearing and protect the interests of the city. The testimony of any deceased claimant taken in any judicial proceeding may be introduced before said commission with the same effect as though he had appeared and testified orally. The commissioners are and each of them is hereby authorized to administer an oath to witnesses. The attendance of witnesses may be compelled by subpoena, signed by any commissioner. The said commission shall, in the reception of testimony, be governed by the rules and practice applicable to suits at law, except as otherwise hereinbefore provided.

§ 3. The commissioners, or a majority of them, shall certify and report in writing, and file in the office of the comptroller of the city of New York, their determination upon each claim brought before them, and such determination shall be final and binding upon all parties concerned.

§ 4. In case any person or persons who has or have furnished goods, merchandise and materials, or performed labor and services in fitting up and furnishing said armories and drill rooms, shall have sold or assigned his claim, no award shall be made to the assignee or assignees thereof by said commission of a sum greater than was paid by him or them for such claim; and on the hearing of each case arising under this act, the said commission shall examine and inquire as to any such assignment, and the amount paid. And in respect to any claim not so sold or assigned, payment thereof, to the extent of the compensation awarded, shall be made directly to the claimant, or his personal representatives, and not to any other person upon the order of such claimant.

§ 5. No claim shall be acted upon, under this act, by said commissioners, unless the same shall be presented within six months after this act goes into effect.

§ 6. The comptroller of the city of New York is hereby directed to borrow upon bonds of the mayor, aldermen, and commonalty of the city of New York, bearing interest at the rate of not exceeding seven per cent. per annum, and payable at a period not to exceed three years from the date thereof, an amount not to exceed fifty thousand dollars, to be used, exclusive of interest, to make all the payments therein provided for.

§ 7. This act shall take effect immediately.

* So in the original.

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

Mayor's Office, No. 6, City Hall, 10 A. M. to 3 P. M.
Mayor's Marshal, No. 7, City Hall, 10 A. M. to 3 P. M.
Permit Bureau, No. 1, City Hall, 10 A. M. to 3 P. M.
License Bureau, No. 1, City Hall, 10 A. M. to 3 P. M.

LEGISLATIVE DEPARTMENT.

Board of Aldermen and Supervisors, No. 9, City Hall, office hours from 10 A. M. to 4 P. M.
Clerk of the Common Council and of Board of Supervisors, No. 8, City Hall, 10 A. M. to 4 P. M.

FINANCE DEPARTMENT.

NEW COUNTY COURT-HOUSE, OFFICE HOURS 9 A. M. TO 4 P. M.
Comptroller's Office, second floor, west end.
1. Bureau for the collection of the revenue accruing from rents and interest on bonds and mortgages, and revenue arising from the use or sale of property belonging to or managed by the City, first floor, west end.
2. Bureau for the Collection of Taxes; Brown stone building, City Hall Park.
3. Bureau for the Collection of Arrears of Taxes and Assessments and Water Rents, first floor, west end.
4. Auditing Bureau, second floor, west end.
5. Bureau of Licenses, first floor, west end.
6. Bureau of Markets, first floor, west end.
7. Bureau for the reception of all moneys paid into the Treasury in the City, and for the payment of money on warrants drawn by the Comptroller and countersigned by the Mayor, at the Office of Chamberlain and County Treasurer, second floor, west end.
8. Bureau for the Collection of Assessments, Rotunda, south side.

LAW DEPARTMENT.

Counsel to the Corporation, Staats Zeitung Building third floor, 9 A. M. to 5 P. M.
Public Administrator, 115 and 117 Nassau street, 10 A. M. to 4 P. M.
Corporation Attorney, 115 and 117 Nassau street, 8½ A. M. to 4½ P. M.
Attorney for the Collection of Arrears of Personal Taxes, No. 51 Chambers street, second floor.
Attorney to the Department of Buildings, 2 Fourth avenue, 9 A. M. to 5 P. M.

POLICE DEPARTMENT

NO. 300 MULBERRY STREET, ALWAYS OPEN.
Commissioner's Office, second floor.
Superintendent's Office, first floor.
Inspectors' Office, first floor.
Chief Clerk's Office, second floor, 8 A. M. to 5 P. M.
Property Clerk, first floor (rear) " " " " " "
Bureau of Street Cleaning, Avenue C, from Sixteenth to Seventeenth street, 8 A. M. to 5 P. M.
Bureau of Elections, second floor (rear), 8 A. M. to 5 P. M.

DEPARTMENT OF PUBLIC WORK

CITY HALL, 9 A. M. TO 4 P. M.
Commissioner's Office, No. 19.
Chief Clerk's Office, No. 20.
Contract Clerk's Office, No. 21.
Engineer in charge of Sewers, No. 21.
Bureau of Repairs and Supplies, No. 18.
" Lamps and Gas, No. 13.
" Incumbrances, No. 13.
" Street Improvements, No. 11.
" Chief Engineer Croton Aqueduct, No. 11½.
" Water Register, No. 10.
" Water Purveyor, No. 4.
" Streets and Roads, No. 13.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

Commissioners' Office, No. 66 Third avenue, 8 A. M. to 5 P. M.
Out Door Poor Department, No. 66 Third avenue a ways open, entrance on Eleventh street.
Reception Hospital, Ninety-ninth street and Tenth avenue, always open.
Bellevue Hospital, foot of Twenty-sixth street, East river, always open.

FIRE DEPARTMENT.

NOS. 153, 155 AND 157 MERCER ST., 9 A. M. TO 4 P. M.
Commissioners' Office, Fire Marshal.
Inspectors of Combustibles.

HEALTH DEPARTMENT.

NO. 301, 7th STREET.
Commissioners' Office, second floor, 9 A. M. to 4 P. M.
Attorney's Office, third floor, 9 A. M. to 4 P. M.
Sanitary Superintendent, always open, third floor.
Register of Records, third floor, 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.

Commissioners' Office, 36 Union Square, 9 A. M. to 5 P. M.

DEPARTMENT OF DOCKS

Commissioners' Office, 117 and 119 Duane street, 9 A. M. to 4 P. M.

DEPARTMENT OF TAXES AND ASSESSMENTS.

Commissioners' Office, Brown-stone building, City Hall Park, 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.

BOARD OF EXCISE.

Commissioners' Office, first floor, 299 Mulberry street, 9 A. M. to 4 P. M.

BOARD OF EDUCATION.

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

COMMISSIONERS OF ACCOUNTS.

Commissioners' Office, 27 Chambers street, second floor, front office.

COMMISSIONERS OF THE COUNTY COURT-HOUSE.

Office, Room B, third floor, northwest corner County Court-house.

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, second floor.
Sheriff's Office, first floor, southwest corner of New County Court-house.
County Clerk's Office, first floor, northeast corner of New County Court-house.
Surrogate's Office, first floor, southeast corner of New County Court-house.
Register's Office, Hall of Records, City Hall Park.
District Attorney's Office, second floor, Brown-stone building, City Hall Park, 9 A. M. to 5 P. M.
COMMISSIONER OF JURORS.
Commissioner's Office, Rotunda, north side, New County Court-house, 9 A. M. to 4 P. M.

DEPARTMENT OF DOCKS.

DEPARTMENT OF DOCKS,
117 AND 119 DUANE STREET,
NEW YORK, July 6, 1877.

TO CONTRACTORS.

PROPOSALS FOR DREDGING THE SLIP BETWEEN PIERS (new numbers) 45 AND 46, NORTH RIVER.

SEALED PROPOSALS FOR DREDGING THE
slip between Piers (new numbers) 45 and 46, North river, indorsed as above, and addressed to "The President of the Department of Docks," will be received at this office, until 12 o'clock M., of

TUESDAY, JULY 17, 1877.

at which time and place the bids will be publicly opened by the head of said Department and read. The award of the contract will be made as soon as practicable after the opening of the bids.

One-half of said slip is leased by the Oceanic Steam Navigation Company, represented by F. J. Cortis, Agent, No. 37 Broadway; and the contract for the work will not be awarded unless the price named by the lowest bidder shall be satisfactory to said lessees. Such contract, if awarded, will be entered into by the Department of Docks on behalf of the city, and by said lessees on their own account, the city becoming liable for three-fifths only of the expense, the other two-fifths to be borne and paid to the contractor by such lessees.

The estimated quantity of material to be dredged and removed is 15,000 cubic yards.
Any bidder for this contract must be known to be engaged in and be well prepared for the business, and shall give security for the faithful performance of his contract, in the manner prescribed and required by ordinance, in the sum of two thousand dollars.

The time allowed for doing such dredging is thirty days from the date of signing of the contract.

All the material excavated from the slip is to be removed by the contractor, and deposited subject in all respects to the laws regulating the deposit of dredgings in the harbor of New York.

Bidders will state in their proposals the price per cubic yard, for doing such dredging in conformity with the annexed specifications and agreement by which the bids will be tested. The price is to cover all expenses necessary for the complete fulfillment of the contract.

Bidders will write out the price bid, in addition to inserting the same in figures.

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 the contract will be readvertised and relet, and so on until it be accepted and executed.

Bidders are required to state in their proposals their names and places of residence, the names of all persons interested with them therein; and if no other person be so interested, the proposal shall distinctly state that fact; also that the bid is made without any connection with any other person making any estimate for the same material, 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, with their respective places of business or residence, to the effect that if the contract be awarded to the person or persons making the bid, they will, on its being so awarded, become bound as his or their sureties for its faithful performance; and that if said person or persons shall omit or refuse to execute the contract, they will pay to the Corporation any difference between the sum to which said person or persons 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 amount in each case to be calculated upon the estimated amount of the work by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the contract, over and above all his debts of every nature, and over and above his liabilities as bail, surety and otherwise; and that he has offered himself as a surety in good faith and with the intention to execute the bond required by section 6 of chapter 574 of the Laws of 1871, and by section 27 of chapter VIII of the Revised Ordinances of the City of New York, if the contract shall be awarded to the person for whom he consents to become surety. The adequacy and sufficiency of the sureties offered are to be approved by the Comptroller of the City of New York after the award is made and prior to the signing of the contract.

Bidders are informed that no deviation from the specifications will be allowed, unless under the written instructions of the Engineer-in-Chief.

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 surety or otherwise, upon any obligation to the Corporation.

The right to decline all the proposals is reserved, if deemed for the interest of the Corporation.
Bidders are requested, in making their bids, to use the blank prepared for that purpose by the Department, a copy of which, together with the form of the agreement, including specifications, and showing the manner of payment for the work, can be had upon application at the office of the Department, Room No. 6.

JACOB A. WESTERVELT,
HENRY F. DIMOCK,
JACOB VANDERPOEL,
Commissioners of the Department of Docks.

LEGISLATIVE DEPARTMENT

THE COMMITTEE ON STREETS WILL MEET
every Friday, at 1 o'clock P. M.

BRYAN REILLY,
JAMES J. SLEVIN,
LEWIS J. PHILLIPS,
Committee on Streets.

THE COMMITTEE ON PUBLIC WORKS WILL
meet in Room No. 16, City Hall, every Wednesday, at 2 o'clock P. M.

THOMAS SHEILS,
WILLIAM JOYCE,
WILLIAM SALMON,
STEPHEN N. SIMONSON,
JOSEPH C. PINCKNEY,
Committee on Public Works.

THE COMMITTEE ON FINANCE WILL MEET
in Room No. 16, City Hall, every Monday, at 3 o'clock P. M.

PATRICK KEENAN,
WILLIAM L. COLE,
SAMUEL A. LEWIS,
JOHN J. MORRIS,
JOSEPH C. PINCKNEY,
Committee on Finance.

FIRE DEPARTMENT.

HEADQUARTERS
FIRE DEPARTMENT, CITY OF NEW YORK,
155 AND 157 MERCER STREET,
NEW YORK, July 5, 1877.

SEALED PROPOSALS FOR FURNISHING THIS

Department with the following articles, to wit:

240,000 pounds Hay of the quality and standard known as good, sweet "Timothy."
45,000 pounds good, clean Rye Straw.
1,500 bags White Oats, 80 pounds to the bag.
1,200 bags Fine Feed, 60 pounds to the bag.
Will be received at these Headquarters until 9:30 o'clock A. M. on Wednesday, the 18th instant, when they will be publicly opened and read.

Proposals must include all of the items, specifying the price per cwt. for Hay and Straw, and per bag for Oats and Feed.

All of the articles are to be delivered at the various houses of the Department in such quantities and at such times as may be directed.

Two responsible sureties will be required upon each proposal, who must each justify themselves, in an amount not less than one-half of the amount of the proposal, prior to its presentation.

Blank forms of proposals, together with such further information as may be required, may be obtained upon application at these Headquarters, where the prescribed form of contract may also be seen.

Proposals must be indorsed upon the envelope "Proposal for furnishing Forage," with the name of the bidder, and be addressed to the Board of Commissioners of this Department.

The Board of Commissioners reserves the right to reject any or all the proposals received, or any part of such proposals, if deemed to be for the interest of the city.

VINCENT C. KING,
JOSEPH L. PERLEY,
JOHN J. GORMAN,
Commissioners.

JURORS.

NOTICE
IN RELATION TO JURORS FOR STATE COURTS

OFFICE OF THE COMMISSIONER OF JURORS,
NEW COUNTY COURT-HOUSE,
NEW YORK, June 1, 1877.

APPLICATIONS FOR EXEMPTIONS WILL BE
heard here, from 9 to 4 daily, from all persons hitherto liable or recently serving who have become exempt, and all needed information will be given.

Those who have not answered as to their liability, or proved permanent exemption, will receive a "jury enrollment notice," requiring them to appear before me this year. Whether liable or not, such notices must be answered (in person, if possible, and at this office only) under severe penalties. If exempt, the party must bring proof of exemption; if liable, he must also answer in person, giving full and correct name, residence, etc., etc. No attention paid to letters.

Persons "enrolled" as liable must serve when called or pay their fines. No mere excuse will be allowed or interference permitted. The fines, received from those who, for business or other reasons, are unable to serve at the time selected, pay the expenses of this office, and if unpaid will be entered as judgments upon the property of the delinquents.

All good citizens will aid the course of justice, and secure reliable and respectable juries, and equalize their duty by serving promptly when summoned, allowing their clerks or subordinates to serve, reporting to me any attempt at bribery or evasion, and suggesting names for enrollment. Persons between sixty and seventy years of age, summer absentees, persons temporarily ill, and United States and District Court jurors are not exempt.

Every man must attend to his own notice. It is a misdemeanor to give any jury paper to another to answer. It is also punishable by fine or imprisonment to give or receive any present or bribe, directly or indirectly, in relation to a jury service, or to withhold any paper or make any false statement, and every case will be fully prosecuted.

THOMAS DUNLAP, Commissioner,
County Court-house (Chambers street entrance)

BOARD OF EDUCATION.

SEALED PROPOSALS WILL BE RECEIVED BY
the Board of Trustees of Common Schools of the several wards, at the Hall of the Board of Education, corner of Grand and Elm streets, for the various kinds of work, etc., hereinafter named, as follows:

By the Trustees of the Nineteenth Ward, until 4 o'clock P. M., on Monday, July 16, 1877, for the Desks, Seats, and other Furniture required for the new School-house in East Seventy-fifth street, near Third avenue.

Sealed proposals will also be received at the same time and place, for Steam Heating-apparatus for said School-house.

F. T. HOPKINS,
Chairman, Board of School Trustees,
Nineteenth Ward.

MEYER THALMESSINGER,
Secretary.
Dated NEW YORK, June 30, 1877.

By the Trustees of the Twenty-second Ward, until 9½ o'clock A. M., on Monday, July 16, 1877, for the Desks, Seats, and other Furniture required for the new School-house on West Fifty-eighth street, near Tenth avenue.

Sealed proposals will also be received at the same time and place for Steam Heating-apparatus for said School-house.

JOEL W. MASON,
Chairman, Board of School Trustees,
Twenty-second Ward.

WALTER CARTER, Secretary.
Dated NEW YORK, June 30, 1877.

By the Trustees of the Twenty-third Ward, until 9½ o'clock A. M., on Tuesday, July 17, 1877, for the Desks, Seats, and other Furniture required for Grammar School-house No. 62, on Third avenue, near One Hundred and Fifty-eighth street.

WILLIAM HOGG,
Chairman, Board of School Trustees,
Twenty-third Ward.

NATHAN S. KING, M. D., Secretary.
Dated NEW YORK, July 2, 1877.

By the Trustees of the Twenty-fourth Ward, until 4 o'clock P. M., on Tuesday, July 17, 1877, for the Desks, Seats, and other Furniture required for the new School-house on Third avenue, near One Hundred and Seventy-third street.

Sealed proposals will also be received at the same time and place for Steam Heating-apparatus for said School-house.

M. K. HAMILTON, Jr.,
Chairman, Board of School Trustees,
Twenty-fourth Ward.

FRANKLIN EDSON, Secretary.
Dated NEW YORK, July 2, 1877.

Plans and specifications may be seen and blanks for proposals obtained at the office of the Superintendent of School Buildings, No. 146 Grand street, third floor.

Proposals will not be considered unless the following provisions are strictly complied with:

The party submitting a proposal and the parties proposing to become sureties must each write his own name and place of residence on said proposals.

Two responsible and approved sureties, residents of this city, are required in all cases.

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

DEPARTMENT PUBLIC WORKS.

DEPARTMENT OF PUBLIC WORKS,
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,
NEW YORK, June 28, 1877.

TO MASONS AND BUILDERS.

PROPOSALS, INCLOSED IN A SEALED EN-
velope, with the title of the work and the name of the bidder indorsed thereon, will be received at this office until Wednesday, July 11, 1877, at 12 o'clock M., at which hour they will be publicly opened by the head of the Department and read:

FOR THE CONSTRUCTION OF RETAINING WALLS, ARCH, STEPS, RAILING, AND FOR THE FILLING AND GRADING NECESSARY FOR THE SUPPORT AND PROTECTION OF THE FORTY-FEET ROADWAY EXCAVATED IN THE CENTRE OF FORTY-SECOND STREET, BETWEEN FIRST AND SECOND AVENUES.

Blank forms of proposals, the specifications and agreements, the proper envelope in which to inclose the bids, and any further information desired, can be obtained on application to the Contract Clerk, at his office, Room 21, City Hall.

The Commissioner of Public Works reserves the right to reject any or all proposals, if, in his judgment, the same may be for the best interests of the city.

ALLAN CAMPBELL,
Commissioner of Public Works

DEPARTMENT OF PUBLIC WORKS,
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,
NEW YORK, June 29, 1877.

TO CONTRACTORS.

PROPOSALS, IN ACCORDANCE WITH SEC-
tion 1, chapter 476, Laws of 1875, inclosed in a sealed envelope, with the title of the work and the name of the bidder indorsed thereon, also the number of the work as in the advertisement, will be received at this office until Friday, July 13, 1877, at 12 o'clock M., at which hour they will be publicly opened by the head of the Department and read, for each of the following works:

No. 1. Paving West Broadway, from Chambers to Canal street, including railroad tracks, and College place, from Chambers street to Barclay street, with granite-block pavement, and laying crosswalks at the several intersecting streets and avenues where required.

No. 2. Paving Sixth avenue, from the southerly side of Forty-second street to the southerly side of Fifty-ninth street, from curb to curb, excepting the horse-paths of the Sixth Avenue Railroad, with granite-block pavement, and laying crosswalks at the several intersecting streets and avenues where required.

Blank forms of proposals, the specifications and agreements, the proper envelope in which to inclose the bids, and any further information desired, can be obtained on application to the Contract Clerk, at his office, Room 21, City Hall.

The Commissioner of Public Works reserves the right to reject any or all proposals, if, in his judgment, the same may be for the best interests of the city.

ALLAN CAMPBELL,
Commissioner of Public Works.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION,
CORNER OF THIRD AVENUE AND ELEVENTH ST.,
NEW YORK, July 3, 1877.

IN ACCORDANCE WITH AN ORDINANCE OF
the Common Council, "In relation to the burial of strangers or 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 Insane, Ward's Island, June 28, 1877—Frederick Taylor alias Toll, admitted November 6, 1875; aged 50 years; 5 feet 5½ inches high; gray eyes and hair. Nothing known of his friends or relatives.

By Order,
JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION,
CORNER OF THIRD AVENUE AND ELEVENTH ST.,
NEW YORK, June 30, 1877.

PROPOSALS FOR GROCERIES, ETC.

PROPOSALS, SEALED AND INDORSED AS
above, will be received by the Commissioners of Public Charities and Correction, at their office, until 9 o'clock A. M., of Saturday, July 14, 1877, at which time they will be publicly opened and read, by the head of said Department, for furnishing and delivering, at the foot of East Twenty-sixth street, free of all expense to the Department—

30,000 pounds Brown Sugar.
4,500 pounds Rio Coffee.
2,000 pounds Coffee Sugar.
2,000 pounds Crushed Sugar.
20,000 pounds Hard Soap.
10,000 pounds Rice.
4,000 pounds Oolong Tea.
5,000 pounds Pearl Barley.
3,000 gallons Molasses (hogsheads to be returned).
4,500 pounds good sweet New York State Dairy Butter, to be delivered in quantities as required.
1,000 pounds best quality Leaf Lard.
250 barrels good sound Irish Potatoes, to weigh 168 pounds to the barrel net; to be delivered at Store-house Dock, Blackwell's Island.
50 dozen Bowls.
12 dozen Bed Pans.

The quality of the goods furnished must conform in every respect to the samples of the above to be seen at this office.

The award of the contract will be made as soon as practicable after the opening of the bids.
No proposal will be considered unless accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that, if the contract be awarded under that proposal, they will, on its being so awarded, become bound as sureties in the estimated amount of fifty per cent. for its faithful performance, which consent must be verified by the justification of each of the persons signing the same for double the amount of surety required. The sufficiency of such security to be approved by the Comptroller.

The Department of Public Charities and Correction reserve the right to decline any and all proposals if deemed to be for the public interest, and to accept an offer for the whole bid or for any single article included in the proposal, and no proposal will be accepted from, or a contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is defaulter, as security or otherwise, upon any obligation to the Corporation.

Blank forms of proposals and specifications, which are to be strictly complied with, can be obtained on application at the office of the Department, and all information furnished.

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

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION,
CORNER OF THIRD AVENUE AND ELEVENTH ST.,
NEW YORK, June 28, 1877.

IN ACCORDANCE WITH AN ORDINANCE OF the Common Council, "In relation to the burial of strangers or 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 Hart's Island Hospital, June 27, 1877—Patrick O'Neil; aged 65 years; 5 feet 4 inches high; gray eyes and hair. Had on when admitted, black coat, vest and pants, felt hat, laced shoes. Nothing known of his friends or relatives.

By Order,

JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION,
CORNER OF THIRD AVENUE AND ELEVENTH ST.,
NEW YORK, June 27, 1877.

IN ACCORDANCE WITH AN ORDINANCE OF the Common Council, "In relation to the burial of strangers or 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 Infants' Hospital, Randall's Island, June 25, 1877—Carrie Morris; aged 39 years; 5 feet 10 inches high; light hair; blue eyes. Nothing known of her friends or relatives.

At Homoeopathic Hospital, Ward's Island, June 26, 1877—William Ingham; aged 47 years; 5 feet 4 inches high; brown eyes and hair. Had on when admitted blue coat and pants, brown vest, brogan shoes. Nothing known of his friends or relatives.

At Morgue, Bellevue Hospital, from New York Hospital—Unknown man; aged about 45 years; 5 feet 10 inches high; sandy hair; whiskers and moustache mixed with gray. Was dressed in olive colored coat, black vest, check pants, check calico shirt, white knit drawers and undershirt, white cotton socks, gaiter shoes, black felt hat.

By Order,

JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION,
CORNER OF THIRD AVENUE AND ELEVENTH ST.,
NEW YORK, July 2, 1877.

IN ACCORDANCE WITH AN ORDINANCE OF the Common Council, "In relation to the burial of strangers or 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 Homoeopathic Hospital, Ward's Island, July 1, 1877—Philip Ryan; aged 40 years; 5 feet 8 inches high; blue eyes; brown hair. Had on when admitted gray mixed coat, black pants and vest, brogan shoes. Nothing known of his friends or relatives.

By Order,

JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION,
CORNER OF THIRD AVENUE AND ELEVENTH ST.,
NEW YORK, June 29, 1877.

IN ACCORDANCE WITH AN ORDINANCE OF the Common Council, "In relation to the burial of strangers or 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, Bellevue Hospital, from Thirteenth Precinct Station-house—Unknown man; aged about 35 years; 5 feet 8 inches high; dark brown hair. Was dressed in black cloth coat, pants and vest, white shirt, gaiter shoes, white straw hat.

By Order,

JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION,
CORNER OF THIRD AVENUE AND ELEVENTH ST.,
NEW YORK, June 30, 1877.

IN ACCORDANCE WITH AN ORDINANCE OF the Common Council, "In relation to the burial of strangers or 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 Homoeopathic Hospital, Ward's Island, June 29, 1877—Christopher Doherty; aged 74 years; 5 feet 10 inches high; gray hair; dark eyes. Clothing old and worn out. Nothing known of his friends or relatives.

John Peters; aged 65 years; 5 feet 7 inches high; brown hair; blue eyes. Had on when admitted, black pants, check shirt, brogan shoes. Nothing known of his friends or relatives.

By Order,

JOSHUA PHILLIPS,
Secretary.

HEALTH DEPARTMENT.

HEALTH DEPARTMENT,
NO. 301 MOTT STREET,
NEW YORK, June 12, 1877.

AT A MEETING OF THE BOARD OF HEALTH of the Health Department of the City of New York, held at its office on the 12th day of June, 1877, the following resolution was adopted:

Resolved, That, under the power conferred by law upon the Health Department, the following additional section to the Sanitary Code, for the security of life and health, be and the same is hereby adopted and declared to form a portion of the Sanitary Code:

Section 187. That every person who omits or refuses to comply with, or who resists any of the provisions of the Sanitary Code, or any of the rules, orders, sanitary regulations, or ordinances established or declared by this Board, under or pursuant to any of the provisions of the seventy-fourth chapter of the Laws of 1866; or of chapter six hundred and eighty-six of the Laws of 1867; or of chapter nine hundred and fifty-six of the Laws of 1867; or of chapter three hundred and thirty-five of the Laws of 1873; or of chapter seven hundred and fifty-seven of the Laws of 1873; or of chapter six hundred and thirty-six of the Laws of 1874; or refuses or neglects to comply with any of the provisions of the said laws, in so far as the same are now in force, and applicable to the City of New York; or omits or refuses, or neglects the execution of any order or special regulation of this Department, will be liable to the arrest, suit, penalty, fine, and punishment in said laws provided and declared; of all of which, notice must be taken.

[L. S.]

CHARLES F. CHANDLER,
President.

EMMONS CLARK, Secretary.

HEALTH DEPARTMENT,
NO. 301 MOTT STREET,
NEW YORK, June 3, 1877.

AT A MEETING OF THE BOARD OF HEALTH of the Health Department of the City of New York, held at its office on the 5th day of June, 1877, the following resolution was adopted:

Resolved, That section 155 of the Sanitary Code be and the same is hereby amended by adding at the end thereof the following: Provided that the same effect shall be given, under this section, to a burial or transit permit issued by the Board of Health or Health Officer of the City of New York, as to a burial or transit permit issued from this Department when the death of the person named in the permit shall have occurred in said city of New York.

[L. S.]

CHARLES F. CHANDLER,
President.

EMMONS CLARK, Secretary.

FINANCE DEPARTMENT.

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

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

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

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

The franchise will be put up and knocked down to the person offering to pay the largest percentage on the gross receipts collected at the landing place in the City of New York.

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

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

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

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

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

By order of the Commissioners of the Sinking Fund.

JOHN KELLY,
Comptroller.

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

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

NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED JUNE 16, 1877.

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

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

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

EDWARD GILON,
Collector of Assessments.

CORPORATION SALE OF THE FRANCHISE OF THE FERRY FROM BULKHEAD AT THE FOOT OF WHITEHALL STREET, NEW YORK, TO THE FOOT OF SIXTY-FIFTH STREET, BAY RIDGE, IN THE TOWN OF NEW UTRICH, LONG ISLAND.

THE FRANCHISE OF THE FERRY FROM THE bulkhead at the foot of Whitehall street, New York, to the foot of Sixty-fifth street, Bay Ridge, in the Town of New Utrich, Long Island, established by the Mayor, Aldermen, and Commonalty of the City of New York, on June 4, 1877, will be sold at public auction, to the highest bidder, at the office of the Comptroller of the City of New York, on Saturday, June 30, 1877, at 12 o'clock noon, for the period of ten years, from July 1, 1877. The form of the lease required to be executed by the highest bidder can be seen at the Comptroller's office, on and after June 28, 1877.

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

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

The franchise will be put up and knocked down to the person offering to pay the largest percentage on the gross receipts collected at the landing place in the City of New York.

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

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

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

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

By order of the Commissioners of the Sinking Fund.

JOHN KELLY,
Comptroller.

COMPTROLLER'S OFFICE,
NEW YORK, June 21, 1877.

The above sale is adjourned to Saturday, July 7, 1877, at 12 o'clock noon, at the same place.

JOHN KELLY,
Comptroller.

COMPTROLLER'S OFFICE,
NEW YORK, June 30, 1877.

DEPARTMENT OF FINANCE,
BUREAU FOR THE COLLECTION OF ASSESSMENTS,
ROTUNDA, NEW COURT-HOUSE,
NEW YORK, May 28, 1877.

NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED MAY 22, 1877.

51st street, paving, from 12th avenue to bulkhead line.

50th street, paving, from 3d to 4th avenue.

8th avenue, paving, from Circle at 59th street to 125th street.

21st street, regulating, grading, etc., between 11th and 13th avenues.

35th street, regulating, grading, etc., between 1st avenue and East river.

95th street, regulating, grading, etc., between 1st and 3d avenues.

130th street, regulating, grading, etc., between 7th and 8th avenues.

143d street, regulating, grading, etc., between St. Ann's avenue and Mill Brook.

9th avenue, regulating, grading, etc., between 123d and 126th streets.

63d street, flagging, between 3d and 5th avenues.

120th street, flagging, between 3d and 6th avenues.

125th street, flagging, between 3d and 8th avenues.

Thomas avenue, flagging, east side, between Kingsbridge road and New Fordham School-house.

8th avenue, sewer, between 68th and 81st streets.

124th street, sewer, between 1st avenue and Harlem river, and in Avenue A, between 123d and 124th streets.

Basin on southeast corner Ridge and Houston streets.

Basin on southeast corner 2d street and Avenue A.

Basin on southeast corner 65th street and 4th avenue.

All payments made on the above assessments on or before July 27, 1877, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

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

EDWARD GILON,
Collector of Assessments.

DEPARTMENT OF FINANCE,
BUREAU FOR THE COLLECTION OF ASSESSMENTS,
ROTUNDA, NEW COURT-HOUSE,
NEW YORK, May 9, 1877.

NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED APRIL 18, 1877.

175th street opening, from Kingsbridge road to 10th avenue.

All payments made on the above assessment on or before July 9, 1877, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

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

EDWARD GILON,
Collector of Assessments.

DEPARTMENT OF FINANCE,
BUREAU FOR THE COLLECTION OF ASSESSMENTS,
ROTUNDA, NEW COURT-HOUSE,
NEW YORK, June 2, 1877.

NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED MAY 19, 1877.

Widening of the Boulevard, 25 feet on the westerly side thereof, as now opened, between One Hundred and Seventh and One Hundred and Eighth streets, westerly from the westerly line of Eleventh avenue.

All payments made on the above assessment on or before August 2, 1877, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of confirmation.

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

EDWARD GILON,
Collector of Assessments.

REAL ESTATE RECORDS.

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

Grantors, grantees, suits in equity, insolvents' and Sheriffs' sales, in 61 volumes, full bound, price, \$100 00
The same, in 25 volumes, half bound, price, 50 00
Complete sets, folded, ready for binding, price, 15 25
Records of Judgments, 25 volumes, bound, price, 10 00
Orders should be addressed to "Mr. Stephen Angell, Comptroller's Office, New County Court-house."

JOHN KELLY,
Comptroller.

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

POLICE DEPARTMENT.

POLICE DEPARTMENT, CITY OF NEW YORK,
PROPERTY CLERK'S OFFICE,
300 MULBERRY STREET,
NEW YORK, June 4, 1877.

OWNERS WANTED BY THE PROPERTY Clerk, Police Department, 301 Mott street, Room 39, for the following property, now in his custody without claimants:

Revolvers, gold and silver watches, male and female clothing, rope, boats, and several small amounts of money found and taken from prisoners.

C. A. ST. JOHN,
Property Clerk.

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.

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. Receiving basin and culvert, northwest corner South street and Corlears street.

No. 2. Receiving basins and culverts on the southeast corner of Seventieth street and Fourth avenue; southwest corner of Seventy-first street and Fourth avenue; northwest corner of Seventy-second street and Fourth avenue; northeast corner of Seventy-third street and Fourth avenue

and the north and south sides of Seventy-fourth, Seventy-fifth, Seventy-sixth, and Seventy-seventh streets; and the north side of Seventy-eighth street, west of Fourth avenue (excepting on the southwest corner of Seventy-first street and Fourth avenue which was built on the Fourth avenue improvement).

No. 3. Receiving basins and culverts on the northeast corner Madison avenue and Sixty-fifth street; at the southwest corner Fourth avenue and Sixty-fifth street; on the south side Sixty-second street, west of Fourth avenue; on the south side Sixty-third street, east of Fourth avenue; on the south side Sixty-fourth street, east and west of Fourth avenue; and the southeast and southwest corners of Sixty-sixth and Sixty-ninth streets and Fourth avenue.

No. 4. Sewer in Water street, between Jackson and Corlears streets.

No. 5. Regulating, grading, setting, curb and gutter stones, and flagging Ninety-seventh street, from Fifth avenue to the Harlem river.

No. 6. Regulating, grading, setting, curb and gutter stones and flagging Seventy-sixth street, from Eighth avenue to the Hudson river.

No. 7. Regulating, grading, setting, curb and gutter stones and flagging Seventy-ninth street, from the Boulevard to the Hudson river.

No. 8. Regulating, grading, setting, curb and gutter stones and flagging One Hundred and First street, between the Boulevard and Riverside Park.

No. 9. Setting, curb and gutter stones and flagging east side of West street and Tenth avenue, from Gansevoort to Little West Twelfth street.

No. 10. Sewer in Forty-fourth street, between Second and Third avenues.

No. 11. Belgian pavement over the Fourth avenue roadway at Seventy-fourth street, and curb and gutter the four corners of Seventy-fourth street, at its intersection with Fourth avenue.

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. Block bounded by South and Front streets, Jackson and Corlears streets.

No. 2. Block bounded by Sixty-ninth and Seventieth streets, Lexington and Fourth avenues; and north side of Seventy-third street, between Lexington and Fourth avenues; and east side of Fourth avenue, between Seventy-third and Seventy-fourth streets; and north side of Seventy-second street, between Madison and Fourth avenues; and blocks bounded by Seventy-third and Seventy-ninth streets, Madison and Fourth avenues.

No. 3. South side of Sixty-second street, between Madison and Fourth avenues; and south side of Sixty-fourth street, between Fourth and Madison avenues; and block bounded by Sixty-fifth and Sixty-sixth streets, Fourth and Madison avenues; and south side of Sixty-ninth street, between Madison and Fourth avenues; and west side of Fourth avenue, between Sixty-eighth and Sixty-ninth streets; and south side of Sixty-third street, between Lexington and Fourth avenues; and east side of Fourth avenue, between Sixty-second and Sixty-third streets; and south side of Sixty-fourth street, between Lexington and Fourth avenues; and east side of Fourth avenue, between Sixty-third and Sixty-fourth streets; and south side of Sixty-sixth street, between Lexington and Fourth avenues; and east side of Fourth avenue, between Sixty-fifth and Sixty-sixth streets; and block bounded by Sixty-eighth and Sixty-ninth streets, Lexington and Fourth avenues.

No. 4. Both sides of Water street, between Jackson and Corlears streets.

No. 5. Both sides of Ninety-seventh street, from Fifth avenue to the Harlem river, and to the extent of half the block at the intersecting avenues.

No. 6. Both sides of Seventy-sixth street, from the Eighth avenue to the Hudson river, and to the extent of half the block at the intersecting avenues.

No. 7. Both sides of Seventy-ninth street, from the Boulevard to the Hudson river, and to the extent of half the block at the intersecting avenues.

No. 8. Both sides of One Hundred and First street, between the Boulevard and Riverside Drive, and to the extent of half the block at the intersection of Eleventh avenue.

No. 9. East side of West street and Tenth avenue, between Gansevoort and Little West Twelfth streets.

No. 10. Both sides of Forty-fourth street, between Second and Third avenues.

No. 11. To the extent of half the block at the intersection of Seventy-fourth street and Fourth avenue.

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 the Board of Assessors, at their office, No. 19 Chatham street, within thirty days from the date of this notice.

The above described assessment lists will be transmitted as provided by law to the Board of Revision and Correction of Assessments for confirmation, on the 24th day of July ensuing.

THOMAS B. ASTEN,
JOHN MULLALLY,
EDWARD NORTH,
WILLIAM L. WILEY,
Board of Assessors.

OFFICE BOARD OF ASSESSORS,
NEW YORK, June 23, 1877.

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

No. 1. Setting curb and gutter stones and flagging Eightieth street, between Fourth and Madison avenues, and crosswalks across Fourth avenue and Eightieth street, and across Eightieth street, west side Fourth avenue, \$1,076.19.

No. 2. Regulating, grading, setting curb and gutter stones and flagging One Hundred and Thirteenth street from Morningside Drive to Riverside Drive, \$7,551.30.

No. 3. Regulating, grading, setting curb and gutter stones and flagging, Ninety-ninth street, from Eighth to Eleventh avenue, \$27