



HEALTH DEPARTMENT.

HEALTH DEPARTMENT, NEW YORK, Nov. 5, 1873. No. 301 Mott street.

The Board of Health met this day.

Orders.

291 orders for the abatement of nuisances were made.

Suits for Penalties.

The Attorney was directed to commence suits for non-compliance with the orders of the Board in 74 cases, and for violations of the Sanitary Code in 25 cases.

Reports Received.

From the Sanitary Superintendent: Weekly report of operations of the Sanitary Bureau.

Weekly report on the condition of the streets. Weekly report on Contagious Diseases. Weekly report on Slaughter Houses. Applications for permits. Applications for relief. Report of the Sanitary Inspectors on streets, &c.

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

From the Attorney: Opinion on the powers of the Board in respect to removal of dead animals, offal, &c. Monthly report.

Communications from City Departments.

From the Police Department: Weekly report of the captain of the Sanitary Company of Police.

From the Comptroller: Weekly statement. From the Department of Docks: On crib-work at northeast side of Randall's Island.

Reports Referred to Other Departments for the Necessary Action.

To the Department of Public Works: On the necessity of a sewer in Tenth avenue, near 129th street.

On hydrant northwest corner Third avenue and East 30th street.

On street pavement No. 368 Seventh avenue.

To the Comptroller: Opinion of attorney in regard to the powers of the Board in respect to the removal of dead animals, &c.

On West Washington Market.

To the Board of Education: On Grammar School, No. 40.

To the Police Department: On the condition of the streets, &c.

Bills Audited.

Francis Swift, for removing night soil for week ending Oct. 31, 1873. \$634 62

Francis Swift, removing offal, dead animals, &c., for week ending Oct. 31, 1873. 288 46

C. Golderman. 92 75

Peter Thomson. 29 25

Evening Post. 5 28

Proceeds of Sale.

Amount received from sale at auction of articles not required for use at disinfecting depot, \$33.25.

Permits Granted.

To occupy basement as human habitation at No. 211 1/2 Division street.

To occupy basement as human habitation at No. 33 Hamilton street.

To slaughter animals at Nos. 543 and 545 10th avenue.

To slaughter animals at Nos. 506 and 508 West 41st street.

To slaughter animals at Nos. 512 and 514 West 41st street.

To slaughter animals at No. 504 West 41st street.

To keep goat, calf and chickens at No. 337 Stanton street.

To manufacture tallow oil at No. 635 West 38th street.

To render fresh lard at No. 368 Seventh avenue.

Permits Denied.

To keep 4 chickens and 1 goat at No. 809 6th avenue.

Communications Received.

Complaint in respect to night soil at foot of West 28th street.

Application of trustees of Reformed Dutch Church at Harlem, to remove remains from vaults, corner 21st street and 5th avenue.

From the Board of Health of the District of Columbia: Application of F. Blanchet for relief from Order.

Resolutions.

That a copy of the report of the Committee on Law and Ordinances and the Attorney, relating to the powers of this Board in respect to the removal of dead animals, offal, &c., be forwarded to the Comptroller, in reply to his communication of the 22d ult.

That Order No. 4,214, on premises No. 303 East 39th street, be suspended until May 1, 1874.

That a report on premises known as Grammar School No. 40, be forwarded to the Board of Education for the necessary action.

Hearing.

The Board heard statements of presidents of city railroad companies in respect to the provisions of the sanitary code, requiring that the front platforms of street cars shall be enclosed, and that the cushions shall not be used.

SANITARY BUREAU.

The following is a record of the work performed in the Sanitary Bureau for the week ending November 1, 1873:

The total number of inspections made by the

BUREAU OF VITAL STATISTICS.

CONDENSED STATEMENT OF MORTALITY.

REPORTED MORTALITY (week ending Nov. 1st,) AND THE ACTUAL MORTALITY (each day in the week, ending at noon, October 25th, 1873,) WITH AN ENUMERATION OF THE CHIEF CAUSES OF DEATH.

Table with columns for Annual Death-rate per 1,000, Average Deaths in corresponding week, Total actual Mortality during the week ending Oct. 25, and CAUSES OF DEATH. Includes rows for Total Deaths from all Causes, Total Zymotic Diseases, Total Constitutional Diseases, Total Local Diseases, Total Developmental Diseases, Deaths by Violence, Small Pox, Measles, Scarlatina, Diphtheria, Memb. Croup, Whooping Cough, Typhus Fever, Typhoid Fever, All ages, Under 5 years, Alcoholism, Cancer, Phthisis Pulmonalis, Marasmus-Tubes Mesenterica and Scrofula, Hydrocephalus and Tubercular Meningitis, Convulsions, Encephalitis and Meningitis, All Diseases of Nervous System, Heart Diseases, Pneumonia, Bronchitis, Bright's Disease and Nephritis, Deaths by Suicide, Death by Drowning, Puerperal Diseases, Deaths in Institutions, All Deaths of Persons 70 years old or more, Under 1 year, Under 2 years, Under 5 years.

Sanitary and Assistant Sanitary Inspectors was 1,985, as follows, viz.: 5 public buildings, 784 tenement houses, 147 private dwellings, 198 other dwellings, 22 manufactories and workshops, 7 stores and warehouses, 104 stables, 64 slaughter-houses, 4 markets, 10 piers and docks, 1 manure dump, 4 gut-cleaning establishments, 12 fat rendering establishments, 1 hog yard, 41 yards, courts and areas, 133 cellars and basements, 41 waste pipes and drains, 131 privies and water closets, 182 streets and sidewalks, 36 sunken and vacant lots, 3 cisterns and cesspools, 4 piggeries, 20 other nuisances, and 15 visits of the Sanitary Inspectors to cases of contagious diseases.

The number of reports thereon received from the Sanitary Inspectors was 560.

During the past week 57 complaints have been received from citizens, and referred to the Sanitary and Assistant Sanitary Inspectors for investigation and report.

The Disinfecting Corps have visited 91 premises where contagious diseases were found, and have disinfected and fumigated 88 houses, 88 privy sinks, together with clothing, bedding, &c.

Three cases of small-pox were removed to the Small-pox Hospital by the Ambulance Corps.

85 permits have been granted to scavengersto empty, clean and disinfect privy sinks.

Permits have been granted to consignees of 62 vessels for the discharge of cargoes, on vouchers from the Health Officer of the Port.

The following number of contagious diseases were reported for the week ending Nov. 1, 1873: Typhus fever, 2; typhoid fever, 9; scarlet fever, 46; measles, 1; diphtheria, 40 and small-pox 3.

The amount of meat and fish condemned by the officers as unfit for human food during the week ending Nov. 1, 1873, was: sheep, 10 carcasses; veal, 8 carcasses; 6 carcasses veal (bob); 1 lamb; 72 pounds of beef; 480 pounds of veal; 336 pounds of mutton; 236 pounds of poultry, and 1,400 pounds of fish.

241 loads of night soil were removed by night scavengers from the privy vaults of the city.

BUREAU OF VITAL STATISTICS. During the week ending November 1, 1873, there were issued from this Bureau 454 burial permits for city deaths—50 for bodies in transit, and 45 for the interment of still-born infants.

There were recorded 454 deaths, 157 marriages, 420 births, 45 still-births, 50 applications for transit permits, and 46 returns from coroners.

There were 24 searches of the registers of births, marriages and deaths, and 4 transcripts of birth record, 3 of marriage, and 22 of death were issued from this Bureau. 3 cases of deaths were referred to coroners.

By order of the Board. EMMONS CLARK, Secretary.

THE CITY RECORD. OFFICE OF PUBLICATION No. 2, City Hall, North-west corner (basement.) Copies for sale. Price five cents.

AB'M DISBECKER, Supervisor.

LAW DEPARTMENT.

OPINIONS OF THE COUNSEL TO THE CORPORATION.

The agreement made in 1871 by the Commissioners of the Sinking Fund in the City of New York, to convey to the New York and Brooklyn Bridge Company, at a fixed valuation, lands belonging to New York, lying under water on both sides of the East river, is binding upon the city of New York; and the Bridge Company is entitled to receive a deed of conveyance, notwithstanding certain provisions of law, having for their object the restriction of sales of city property except at public auction, to the highest bidder.

LAW DEPARTMENT, OFFICE OF THE COUNSEL TO THE CORPORATION, NEW YORK, October 25, 1873.

Hon. Andrew H. Green, Comptroller of the City of New York:

STR.—The New York Bridge Company was incorporated for the purpose of constructing and establishing a bridge from New York to Brooklyn. The act of incorporation (see section 2 of chapter 399 of the laws of 1867) empowers the company to purchase, acquire and hold as much real estate as may be necessary for the site of the bridge; and by section 11 of the same act, in case the company shall be unable to agree with the owners of land required for its purposes, the company may take such proceedings to acquire the same as are usual when public improvements are made by private corporations.

In 1870 and 1871 the Commissioners of the Sinking Fund, according to law, fixed the value of the premises required by the bridge; those belonging to the city of New York in Brooklyn being appraised at \$160,000, and the pier property required in New York being valued at \$42,000.

The Commissioners of the Sinking Fund then agreed to convey to the Bridge Company, on payment of those amounts, all the lands so required by them; and now, in pursuance of that agreement, a deed of conveyance of the property in question has been prepared and is awaiting delivery at the Comptroller's office.

An official communication from you requests my opinion whether the Commissioners of the Sinking Fund or the Corporation of the City are the owners of the premises, and if so, whether they could enter into any agreement for the sale of real estate except by public auction and in the manner pointed out by the laws and ordinances relating to such commission. You further request my judgment whether the deed now retained by you can be lawfully delivered upon payment of the consideration agreed upon.

As the agreement to convey was made in 1871, it is not necessary for me to consider whether such a contract could be legally made at the present time in view of the provisions of section 102 of the charter of 1873, as amended by section 17 of chapter 757 of this same year. These provisions of the acts of 1873 empower the Commissioners of the Sinking Fund to sell or lease for the highest marketable price or rental, at public auction or by sealed bids, and always after public advertisement and appraisal, under the direction of the Board, any city property except wharves and piers, and subject to certain conditions in relation to market property. The agreement which we are now considering having been made several years ago, the validity of a deed made in pursuance thereof cannot be affected by legislation subsequent in point of time to the making of such agreement.

In 1844 the Common Council of New York adopted an ordinance containing provisions as follows: In all cases of grants hereafter to be made of lands under water on the shores of Long Island, and within the limits of the various charters of the city of New York, and in all cases of extensions of grants previously made, it shall be the duty of the Comptroller and the Street Commissioner of the city of New York to report to the Commissioners of the Sinking Fund what sum of money shall, in their judgment, be charged as consideration for such grant, and if the said Commissioners, or a majority of them, shall agree to the terms reported by the Comptroller and Street Commissioner, then the Comptroller shall be and he is hereby authorized to cause such grants to be issued to the parties who may be legally entitled to the same. This ordinance, originally passed February 22, 1844, was in the year 1854 made a law of the State irrevocable by the city. (See the act of the Legislature, chapter 225, laws of 1854. And see, also, section 29 of chapter 9 of the revised ordinances of 1859, in which revision this ordinance reappears as expressly recognized and legalized by the



