

# THE CITY RECORD.

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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.

SIR:—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 the

Island of New York or 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 Legislature in a statute which has never been repealed.)

According to the legal boundaries of the city of New York, as defined in several statutes and charters, the lands referred to by you, originally being under water on both the Brooklyn and New York sides of the East River, unquestionably belong to this city, and come within the purview of the ordinance to which I have referred as adopted by the Common Council and re-enacted by the Legislature.

The 16th section of the charter of 1870, as amended by section 9, chapter 573, of the laws of 1871, provides, *First*, That there shall continue to be, as already provided and recognized by special laws and ordinances, a Board of Commissioners of the Sinking Fund, with all the powers and duties assigned, designated and ratified by existing laws and ordinances. And, *Second*, That the Board above mentioned shall have power 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 said Board, any city property.

Construing these two paragraphs together and giving effect to both, as we are bound to do by the legal rules of construction, it is my judgment that the ordinance of 1844, affirmed by the act of 1854, is in force, re-affirmed by the clause in the acts of 1870 and 1871 above cited and marked "*First*," and unrepealed by the clause marked "*Second*." In other words, at the time the agreement in question was made, and probably also even since the enactment of the charter of 1873, the sale of lands belonging to the city under water was governed by the ordinance of 1844 and the act of 1854, without the process of advertisement and auction.

The premises which in 1871 the Commissioners of the Sinking Fund agreed to convey to the Bridge Company appear from the description in the proposed deed of conveyance to be lands under water within the meaning of the ordinance of 1844; and assuming that the necessary steps were taken by the company to acquire the lands in accordance with section 11 of the act of incorporation, and assuming, also, that the terms of the old ordinance were complied with, it is my judgment that without further proceedings or delays the deed should be delivered upon receiving the considerations therein expressed, and it will unquestionably convey title to the company.

I am, sir, very respectfully yours,

E. DELAFIELD SMITH,  
Counsel to the Corporation.

Sales of land under water, where the owner of the upland has a conditional pre-emptive right to purchase, may be made by the Commissioners of the Sinking Fund of the City of New York, without advertisement, under the ordinance adopted by the Common Council in 1854, confirmed and enacted into law by the Legislature of 1854. Those sales are not governed by the provisions of the charter, requiring that conveyance of city property must be made only to the highest bidder at auction after advertised proposals.

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

Hon. Andrew H. Green, Comptroller:

SIR:—You request my opinion "in relation to the power of the Commissioners of the Sinking Fund to sell the real estate belonging to the City of New York, and especially land under

"water; whether the sales should be conducted under the provisions of the ordinances relating to such Commissioners, or only in the manner pointed out by section 102 of the charter of 1873, as amended by section 17 of chapter 757 of the laws of 1873."

The present ordinance defining the powers of the Commissioners of the Sinking Fund, was adopted on the 22d of February, 1844. By its provisions, revenues derived from various enumerated sources are reserved to the sinking fund for the redemption of the city debt. In section 29, article 4, this ordinance provides that in all cases of grants thereafter to be made of land under water, it shall be the duty of the Comptroller and Street Commissioner to report to the Commissioners of the Sinking Fund what sum of money shall be charged as consideration for such grants, and if the Commissioners or a majority of them agree to the terms of the report, the Comptroller shall cause grants to be made to the persons entitled thereto. Section 35 of article 4 of this ordinance provides that the Commissioners of the Sinking Fund may sell all real estate belonging to the Corporation and not in use or reserved for public purposes, at public auction, at such times and on such terms as they may deem most advantageous to the public interest, provided that such property shall not be sold for a less sum than that affixed to the property by appraisal by the Commissioners of the Sinking Fund and the Street Commissioner, or a majority of them, at an appraisal made within one month prior to the sale, and that thirty days previous notice of such sale shall be published in the Corporation newspapers.

In 1845 an act was passed in relation to the creation of a public fund called the Croton Water Stock, in which it was enacted that the ordinances in force and approved on the 22d February, 1844, in relation to the sinking fund, should not be amended without the consent of the Legislature first had and obtained, except by setting apart additional revenue thereto; and that said ordinances should continue in force until the whole of the debt created for the introduction of the Croton water into the City of New York, should be fully redeemed.

In subsequent acts in 1849 and 1851, providing for the creation of Croton water stock, these provisions in relation to the sinking fund ordinance are repeated and re-enacted.

Similar provisions are contained in chapter 501 laws of 1853, chapter 372, laws of 1860, and chapter 285, laws of 1865.

The power conferred upon the Commissioners to dispose of the real estate of the Corporation, in conformity to the provisions of the ordinance, thus became immutable without the consent of the Legislature; and unless the Legislature by subsequent legislation have modified such powers, they now remain the same as defined in the ordinance.

The subsequent legislation concerning the sale of public property is contained in various enactments called charters of the city.

The charter of 1853 provides that all leases and sales of public property and franchises (other than land under water, to which the owner of the upland shall have a pre-emptive right), shall be made by public auction, and to the highest bidder who will give adequate security. (Section 7, chapter 217, laws of 1853.) The charter of 1857 contains the same provision. (Section 41, chapter 446, laws of 1857.)

The charter of 1870, chapter 137, laws of 1870, section 116, as amended by section 9, chapter 573 of the laws of 1871, provided that there should continue to be as then provided by special laws and ordinances, a Board of the Commissioners of the Sinking Fund, with all the powers and duties assigned, designated and ratified by existing laws and ordinances; and that the said Board should have power 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 directions of said Board, any city property.

Section 102 of the present charter, chapter 335, laws of 1873, contains the same provisions as those last cited, and further excepts wharves and piers from the property to be sold by the said Commissioners.

The provision of the charter of 1873, (section 102), thus specially preserving all the powers of

the Commissioners of the Sinking Fund as defined in existing laws and ordinances, expresses the intent of the Legislature that the ordinance of 1844 shall remain in full force and effect, and that the powers thereby vested in the Commissioners of the Sinking Fund shall continue. The subsequent clause of section 102, which provides that the Board shall have power to sell or lease any city property 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 said Board, is in my opinion, modified by the previous clause preserving the powers of the Commissioners of the Sinking Fund so far that grants of land under water may still be made by the Commissioners in the manner prescribed in the ordinance.

I am, therefore, of the opinion that sales of land under water, where the owner of the upland has a preemptive right, may be made by the Commissioners of the Sinking Fund in the manner provided by the special ordinance in that behalf, and sales of other real estate under their jurisdiction in the manner provided by section 102 of the charter.

I am, sir,

Very respectfully yours,

E. DELAFIELD SMITH,  
Counsel to the Corporation.

A claim accrued to the city before the adoption of the Code of Procedure, as well as one subsequently becoming payable, may, after suit thereon has become barred by statutes of limitation, be revived by part payment or by written acknowledgment made at any time within twenty years next preceding the present time.

LAW DEPARTMENT,  
OFFICE OF THE COUNSEL TO THE CORPORATION,  
NEW YORK, October 22, 1873.  
Hon. Andrew H. Green, Comptroller.

SIR:—By your letter of October 17th, the Bond and Mortgage of R. M. Williams (which cannot be found in this office,) appears to have been dated on the 5th of August, 1835, payable on the 10th of May, 1836, and default in payment of both the principal and interest having been made, the right of action accrued at once, after the 10th of May, 1836.

In this case the right of action accrued prior to the adoption of the Code; and the provisions of the Revised Statutes contained at that time a saving clause in substance that after the expiration of twenty years from the time a right of action shall accrue upon any sealed instrument for the payment of money, such right shall be presumed to have been extinguished by payment, but such presumption may be repelled by proof of the payment of some part, or a written acknowledgment of such right of action within that period. (Revised statutes, 2, 301, section 48.)

The Code limits the time within which an action upon a sealed instrument shall be commenced to twenty years after the cause of action shall have accrued. (Voorhis' Code, 10th Ed. pp. 74—80.) But the effect of any payment of principal or interest is not altered by the Code, and this cause of action having accrued prior to its adoption, its provisions do not apply. (Coe vs. Mason, 41 Barbour, 612.)

Hence, if it can be made to appear that at any time during the last twenty years any interest or any part of the principal has been paid, or any acknowledgment in writing has been made that a cause of action still exists, a cause of action does now exist. Otherwise, the corporation is barred from proceeding.

With reference to the Bond and Mortgage of Thomas F. Riley, the papers have been found in the possession of parties formerly connected with this Department and promptly returned with explanation, and steps have already been taken to foreclose the same.

I am, sir,

Very respectfully yours,

E. DELAFIELD SMITH,  
Counsel to the Corporation.

## BOARD OF ASSISTANT ALDERMEN.

NEW YORK, November 5, 1873.  
NOTICE.

A meeting of the Special Committee to hear persons for and against the Industrial Exhibition Company, will be held in the Chamber of the Board, Room 16 City Hall, on Friday, November 7, at 11 o'clock in the forenoon.

CONSTANTINE DONOHUE,  
Clerk.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

DAILY MEETINGS OCT. 27TH TO NOV. 1, 1873.

Present — Commissioners Laimbeer, Bowen, Stern.

Communications.

From Almshouse, Charity, Small-pox, Fever, Bellevue, Reception Hospitals, Lunatic Asylum, Blackwell's Island, New York City Asylum for the Insane, Ward's Island—Reporting daily census of these institutions. Ordered on file.

From Lunatic Asylum, Blackwell's Island, and New York City Asylum for the Insane on Ward's Island—Reporting number of inmates and how employed. Ordered on file.

From Lunatic Asylum, Blackwell's Island, and New York City Asylum for the Insane, Ward's Island—History of patients admitted. Referred to Examining Clerk.

From Almshouse—Statement of the amount of labor performed by mechanics (inmates), for week ending Nov. 1, 1873. Ordered on file.

From City Prison—Repairs required to roof Third district prison; requiring two furnaces. Referred to Supervising Engineer.

From Bellevue Hospital—To repair two ambulances, grocery and business wagons. Ordered that estimates be obtained.

From New York City Asylum for the Insane, Ward's Island—Resignation of Frederick Steffen, attendant. Accepted.

From Inebriate Asylum—Resignation of James Sullivan, watchman. Accepted.

From Peter Yule, Captain Sanitary Police—Transmitting certificates of inspection of steam boilers at Workhouse, Almshouse, Charity Hospital, Lunatic Asylum, Blackwell's Island, Penitentiary and Storehouse. Ordered to be posted in boiler houses.

From Penitentiary—For use of basement of Inebriate Asylum as dining room for prisoners. Granted.

From Penitentiary—For repairs to boiler in washhouse. Referred to Supervising Engineer.

From Charity Hospital—Complaint against William Miller, assistant engineer. Ordered to be discharged.

From New York City Asylum for the Insane, Ward's Island—Reporting absence of Edward Sheehan, attendant, without leave. Ordered to be discharged.

From Nursery, Randall's Island—Mary Smith reporting for duty as head nurse. Ordered on file.

From Charity Hospital—E. W. Close, apothecary, for leave of absence for one week. Granted.

From Austin Flint, Jr., M. D.—Approving dietary table for dinner for inmates of Lunatic Asylum, Blackwell's Island. Ordered to be carried into effect.

From City Prison—For repairs to inside door of cell No. 53. Ordered to be made at once.

From Lunatic Asylum, Blackwell's Island—For leave of absence to Doctor James Hill, assistant physician, for ten days. Granted.

From Storekeeper, Blackwell's Island—Quantity of potatoes required to 1st April, 1874. Ordered on file.

From James A. Dunham—Tendering his resignation as engineer on Randall's Island. Ordered on file.

From Nursery Hospital, Randall's Island—Recommending George F. Freeman as assistant physician. Appointed.

From Engineer of Workhouse—Quantity of gas consumed on Blackwell's Island during October, 1873. Ordered on file.

From Penitentiary—For leave of absence to keepers Coughlen and Bennett. Granted for two days.

From Epileptic and Paralytic Hospital—Reporting attendance of visiting physicians during October, 1873. Ordered on file.

From Mrs. Julia C. West—Resignation as matron of Free Labor Bureau. Accepted.

New York City Asylum for the Insane, Ward's Island—William Miller and John Rodgers, appointed attendants to fill vacancy.

Oct. 27, 1873. By the Board. Peter Yule, captain Sanitary Police—Certificates of inspection of steam boilers at Workhouse, Almshouse, Charity Hospital, Lunatic Asylum, Penitentiary, Storehouse.

By the Board. Ordered to be posted in the boiler room.

Lunatic Asylum, Blackwell's Island—Ellen Jones appointed vice Helen Martin, appointed to Penitentiary dormitory.

Oct. 28, 1873. By the Board. Lunatic Asylum, Blackwell's Island—dietary for dinner:

Sunday—Roast beef, potatoes, pudding. Monday—Irish stew. Tuesday—Soup, boiled or roast mutton, potatoes.

Wednesday—Irish stew, pudding. Thursday—Roast beef, potatoes. Friday—Boiled codfish, potatoes. Saturday—Soup, boiled beef, potatoes. Bread with every meal.

Oct. 29, 1873. By the Board. New York City Asylum for Insane, Ward's Island—John Murray appointed assistant cook at \$50 per month.

Oct. 30, 1873. By the Board. Idiot Asylum, Randall's Island.

By Commissioner Laimbeer—Resolved, That Bernard Gormley be appointed engineer at Idiot Asylum, Randall's Island.

Oct. 30, 1873. Adopted. The Comptroller.

President of the Board to meet with Board of Appointment Oct. 30th, on provisional estimates for the expenses of the city government.

State Board of Charities, Albany. Transmitting circular and copy of an act to

provide for the support and care of State paupers (chap. 661, passed June 7, 1873). Referred to Superintendent of Out-Door Poor. Charity Hospital.

William Macfarland appointed assistant engineer.

Oct. 31, 1873. By the Board. Ordered, That the resolution of Oct. 25, of discontinuance of printing department, be temporarily rescinded.

Commissioner Stern—Report on providing comfortable nights' shelter to respectable homeless poor during the ensuing winter.

To the Commissioners of Public Charities and Correction:

GENTLEMEN:—The signs of the times point to a winter of great suffering and destitution among the large class of our population who are dependent for their support by their daily labor and upon an uninterrupted employment. We all know that an overwhelming majority of our laborers, journeymen, clerks, and factory hands, have not the foresight to provide in times of prosperity and fulness for a time of want and dearth. They live from week to week upon their earnings, and never think during the days of bright sunshine of the rainy season that may drop in. The recent panic in financial circles, though not as disastrous as it appeared at first, has nevertheless paralyzed commerce and trade to such an extent as to stop the operations of extensive manufactories, bankers and dealers, that gave employment to thousands of honest, hard-working operators and clerks, and has caused the discharge of many that would otherwise have been comfortable. We must, therefore, expect an unusual pressure upon our resources, and it behooves us to take such measures in advance as will meet the increased demand made upon us. The number of homeless and homeless poor—respectable people who are not in the habit of applying to public or private charity—will be increased, and our station houses, where these unfortunate people have usually found a shelter, such as it is, will prove insufficient to offer the necessary accommodation required. Neither would it be right to huddle the respectable poor—the victims of distress—together with the drunkard, the confirmed pauper and the criminal. In order to carry out the idea of providing this temporary shelter, I inquired of our public-spirited Comptroller, Mr. Green, who at all times is ready to extend to this Board every facility, and has always promptly met every judicious demand made upon him, whether such buildings as are now under the control of using them as temporary lodging houses during the winter months, under such rules and regulations as we may deem proper to establish, and the following is a communication from the Hon. the Comptroller, on the subject, which speaks for itself.

CITY OF NEW YORK, DEPARTMENT OF FINANCE, COMPTROLLER'S OFFICE, Oct. 28, 1873.

Myer Stern, Esq., Commissioner of Public Charities and Correction:

DEAR SIR:—In a conversation with me a few days since, you expressed a desire to do what you could to provide for the destitution that is likely to exist this winter, and stated that in your opinion, it is probable there will be necessity to make increased provision for those who may be thrown out of employment. I sympathize most fully with your foresight and kind intentions and shall aid you to the extent of my ability to carry out your wise and charitable intentions.

The Commissioners of the Sinking Fund have charge of the unoccupied houses belonging to the City, and will, I have no doubt, readily place temporarily at the disposal of the Commissioners of Public Charities and Correction such of these premises as they may deem suitable to furnish increased accommodations to the poor during the inclemency of winter.

I would suggest that some of the unoccupied portions of the markets might be also available for these purposes.

As soon as you are ready to proceed I will indicate the premises that will be placed at your disposal for the winter.

Very respectfully yours, ANDREW H. GREEN, Comptroller.

It is but just to recognize and acknowledge in this place, and at this time, the willingness and readiness of the Comptroller, with which he has aided us in the discharge of our duties. Our bills for services rendered by employees, and for supplies furnished by merchants, in fact all bills of this Department when properly certified by us have always been audited and paid with promptness not exceeded by the practice prevalent in mercantile transactions, I hope therefore, that we take charge of these buildings and make the necessary arrangements to fit them up as lodging houses, where respectable sober people who are found homeless and shelterless may find a proper refuge for the time being. I would also propose that measures be taken to furnish to those people a plain hot breakfast so that they may enter upon their days work, or part of days work which they may be fortunate enough to obtain in a spirit of cheerful hopefulness. I would also suggest that proper arrangements be made in each of these houses to enable the beneficiaries to appear clean and respectable when they apply for labor, as a matter of course we will deny admission to any person under the influence of liquor or of disreputable behavior; that class of people are properly placed in the Station House and there alone. In order to carry out the foregoing views, I respectfully submit the following resolutions:

Resolved, That we gratefully acknowledge the action of Comptroller Andrew H. Green, in

placing at our disposal the buildings and places, a list of which will be furnished as soon as the Sinking Fund Commissioners shall determine.

Resolved, That we take the necessary measures for fitting up these houses for lodgings in order to afford temporary shelter to the homeless and homeless under such rules and regulations as this Board deem proper to adopt.

Resolved, That suitable provisions be made by this Board to furnish those that seek refuge therein, with a plain breakfast, and such accommodations as are required for the performance of the necessary ablutions.

All of which is respectfully submitted, MYER STERN.

October 30th, 1873. On motion adopted by the Board.

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

JOSHUA PHILLIPS, Secretary.

POLICE DEPARTMENT.

The Board of Police met on the 1st day of November, 1873. Present—Messrs. Smith, Gardner, and Duryee, Commissioners.

Parades Allowed. Unity Republican Association, Oct. 31—Procession. Eighth Ward Union Club, Nov. 1—Procession.

St. Patrick's M. A. B. Society, Nov. 2—Funeral. Swift Light Guard, Nov. 17—Target excursion. Journeymen Cartmen, Nov. 27—Target excursion.

Appointment. Valentine Smith, as patrolman, 31st precinct. Transfers Ordered.

Roundsman Thos. E. Willard, from Tenth to Twenty-eighth precinct.

Patrolman Robert Ramsey, from Twenty-seventh to Nineteenth precinct.

Patrolman Wm. H. Thomas, from Twenty-seventh to Nineteenth precinct.

Patrolman Harmon H. Freese, from Twenty-seventh to Nineteenth precinct.

Patrolman Thomas Mulvey, from Twenty-seventh to Nineteenth precinct.

Patrolman James Bligh, from Fifth to Nineteenth precinct.

Patrolman Jeremiah Wood, from Fifth to Nineteenth precinct.

Patrolman Jos. V. McMullen, from Seventh to Nineteenth precinct.

Patrolman James McGill, from First to Nineteenth precinct.

Patrolman Wm. H. Hughes, from Tenth to Fifth precinct.

Patrolman Lewis E. Hill, from Fifth to Tenth precinct.

Patrolman James Van Ranst, from Eleventh to Tenth precinct.

Patrolman John T. Disbrow, from Second to Thirteenth precinct.

Patrolman Wm. Ellard, from First to Twenty-seventh precinct.

Patrolman John S. Kellogg, from First to Twenty-seventh precinct.

Patrolman Erastus R. Townsend, from Sixth to Twenty-seventh precinct.

Patrolman James Casey, from Nineteenth to Twenty-third precinct.

Patrolman Joseph Arthur, from Twenty-third to Nineteenth precinct.

Patrolman Wm. Thompson, from Third to Seventh precinct.

Patrolman Patrick Kennedy, from Fifth to Seventh precinct.

Patrolman Owen Judge, from Seventeenth to Seventh precinct.

Patrolman Edward Sullivan, from Seventh to Third precinct.

Patrolman Jeremiah Moyland, from Seventh to Fifth precinct.

Patrolman Patrick Canty, from Seventh to Seventeenth precinct.

Patrolman Daniel Cody, from Third to Nineteenth precinct.

Street Cleaning. Daily report of the Supt. of Boats, was referred to the Committee on Street Cleaning.

Communications from the Department of Docks, being resolutions dated Oct. 30th, 1873, to the effect that the lessees of dumping board, south side of pier foot of Lighthouse street, were notified that their permit would be annulled and terminated from and after ten days from the reception of notice; and also, that Supt. Turner had been directed to erect dumping board on south side of pier 19, E. R., were ordered on file, and the chief clerk directed to acknowledge the receipt of the Communications.

Bureau of Elections. On reading report of the Committee on Elections, it was Resolved, That the following appointments of Inspectors of Election be and are hereby ordered.

29—11. Azel Hanks, in place of John P. Yoerg, resigned. 10—2. John Heany, in place of M. Reilly, resigned. 11—2. Michl. Stapleton, in place of T. Murphy, resigned. 26—5. Frank F. Cavanaugh, in place of T. Sherwood, resigned.

11—12. W. J. Kent, in place of E. Underhill, resigned. 1—18. Hiram B. Ferguson, in place of J. Killen, resigned. 23—2. John Rooney, in place of J. Coughlin, resigned. 9—18. Thomas Barrett, in place of Jas. McCartney, removed.

10—11. Geo. D. Hankins, in place of Martin Doyle, resigned. 37—21. Peter P. Pullis, in place of E. Hass, resigned. 37—21. Martin E. Townsend, in place of An. J. Mount, resigned. 19—12. Rich'd A. Smith, in place of E. Wertheimer, resigned.

Adjourned. S. C. HAWLEY, Chief Clerk.

The Board of Police met on the 3d day of November, 1873. Present—Messrs. Smith, Charlick and Gardner, Commissioners.

Patrolman Patrick J. Stack, from Thirteenth to Seventh precinct. Patrolman Wm. H. Kelly, from Fifth to Seventh precinct.

Resolved, That roundsman William Gardner, Thirteenth precinct, be remanded to post duty.

Promotion. Patrolman John D. Post, Thirteenth precinct, appointed roundsman.

Appointment. Patrick Bowes, as patrolman, Eighteenth precinct.

On reading a communication from his Honor the Mayor, it was Resolved, That the superintendent issue a general order to the effect that, by virtue of chapter 538, of the laws of 1873, the Mayor has appointed, and the Board of Aldermen has confirmed the following named persons as Police Justices for this city:

Bankson T. Morgan, Marcus Otterbough, Frank S. Smith, James T. Kilbreth, Charles A. Flammer, Thomas D. Sherwood, Butler H. Bixby, Benjamin C. Wandell, Henry Murray, George E. Kasmire.

These officers have been duly sworn into office, and by law will proceed to exercise and perform the duties conferred upon them at the various police courts of this city, on Tuesday, the 4th instant, at noon; and instructing the captains and members of the force that on and after the 4th of November, instant, at noon, all persons arrested for offences are to be taken and charged and arraigned before the above named Police Justices.

Adjourned. S. C. HAWLEY, Chief Clerk.

DEPARTMENT OF BUILDINGS

New York, November 3, 1873. The following comprises the operations of the Department of Buildings for the week ending November 1, 1873.

BUREAU OF CONSTRUCTION AND ALTERATION OF BUILDINGS. Plans, Specifications and Special Applications, filed, examined and passed upon.

NEW BUILDINGS. No. of Plans and Specifications filed and examined... 13. No. of Buildings embraced in same... 24.

CLASSIFIED AS FOLLOWS: First class Dwellings... 5. Tenements... 12. Second class Stores... 2. Third class Stores... 1. Manufactories and Workshops... 2. Stables... 2. Total... 24.

Plans &c., approved, including those previously filed... 10. Amended and approved... 3. Pending... 2. Total... 15.

ALTERED BUILDINGS. No. of Plans and Specifications filed and examined... 12. Buildings embraced in same... 19.

CLASSIFIED AS FOLLOWS: First class Dwellings... 1. Second class Dwellings... 6. Tenements... 3. Manufactories and Workshops... 3. Total... 13.

BUILDINGS EXAMINED AND PLANS RELATING THERETO PASSED UPON INCLUDING THOSE PREVIOUSLY FILED: Approved... 5. Amended and approved... 1. Disapproved... 1. Pending... 6. Total... 13.

SPECIAL APPLICATIONS. Number filed examined and passed upon... 18. Approved... 18. Disapproved... 2. Pending... 7. Total... 27.

Building operations during the month of October, as reported by the District Inspectors:

New Buildings commenced... 90. New Buildings completed, including those previously reported commenced... 107. Alterations to Buildings, commenced... 40.

Alterations to Buildings completed, including those previously reported commenced... 80. New Buildings in progress, including those previously reported commenced... 804. Alterations in progress, including those previously reported commenced... 139.

HENRY J. DUDLEY, Deputy Supt. and Chief of Bureau.

BUREAU OF UNSAFE BUILDINGS, VIOLATIONS AND COMPLAINTS. Abstract of operations for the week ending November 1, 1873:

Complaints received from outside sources... 4. Violations of the law reported... 3. Violations of the law removed... 2. Unsafe buildings reported... 26. Unsafe buildings made safe... 25. Unsafe buildings taken down... 1. Surveys ordered on unsafe buildings... 1. Surveys held on unsafe buildings... 1. Violation cases sent to Attorney for prosecution... 1. Unsafe building cases sent to Attorney for prosecution... 1. Violation notices served... 1. Unsafe building notices served... 40. Buildings surveyed as to general condition... 374.

The classification of the unsafe buildings reported are as follows:

Unsafe walls... 7. " chimneys... 6. " floors... 1. " stoors... 1. " columns... 1. Total... 16.



