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EXECUTIVE DEPARTMENT.

Letter to the Governor and Certificates of Removal from Office of Police Commissioners Erhardt, Nichols, and Smith.

MAYOR'S OFFICE, NEW YORK, April 5, 1879.

To his Excellency LUCIUS ROBINSON, Governor of the State of New York :

SIR—The Charter of the City provides, that in all cases of removals by the Mayor, he shall communicate to the Governor in writing his reasons for such removal. I transmit herewith my certificates of the removal of Police Commissioners Erhardt, Nichols, and Smith, with the following statement of my reasons therefor:

There is no branch of the local government whose administration more closely touches the people than that of the Department of Police. The security of life and property is largely dependent upon the discipline and efficiency of the force; the elections held in the city are under its management and control; and, what is essential to the health, comfort, and convenience of the citizens, the care and cleanliness of the streets, are intrusted to it.

At the time of my accession to office in January last, the public mind was greatly disturbed over the condition of the Department. I had just entered upon inquiries into the affairs and conduct of the Department, giving such attention to the matter as other pressing public duties would permit, when all and much more than had previously been said against the administration of the Department received the support of an authoritative declaration on the part of Commissioner Erhardt, who, at the regular meeting of the Board on the 21st day of January last, offered the following preambles and resolution:

"Whereas, The condition of the discipline of the police force is such as to awaken the most serious comment, and the condition of the various bureaus is open to criticism; and

"Whereas, Owing to carelessness and inebriety among the members of the Police Board, a most damaging influence on the whole Department has been exercised; therefore be it

"Resolved, That the Mayor of the City of New York be requested to investigate this Department without delay."

Instead of taking up these charges and challenging the investigation proposed, the other members of the Board of Police decided that Mr. Erhardt's accusations should be filed; thus in effect determining that so far as they were concerned nothing should be done about them.

A few days later there appeared in the public press, over the official signature of Commissioner Erhardt, the following:

"To the Board of Police:

"Certain resolutions offered by Commissioner Erhardt at the meeting of the Board of Police, January 21, having provoked some comment and denials of their necessity or propriety by his associates, he reaffirms the necessity for them, and alleges the truth of the implications therein contained, and he states that it is his opinion, where abuses and evils are to be attacked for the purpose of remedying them, that the proper place to do so is where they exist, in this case in the Board, of which he is a member; and after vainly attempting to accomplish certain reforms quietly, subsequent allusions to them should be unmistakably clear, and that the grapple should be an open one. And he accepts the criticism following the request to investigate the official acts of his associates and his own, rather than drift with an important Department to confusion. He alleged as a matter that cannot be gained that the Police Department has not been investigated at all since January, 1876, and never within his recollection has been examined with any care, and yet this Department disburses annually nearly \$4,000,000—being since January, 1876, nearly \$12,000,000—while indifference and carelessness naturally will creep in and grow in handling so large a sum annually, especially where a Department has no final auditor but itself. That the condition of the police force proper has never been looked into by the Executive of the city with a view to determine the justice of promotions, impartial discipline or consistent enforcement of law, and to assume that investigation is not necessary is to invest the head of the Police Department with a continuous sound judgment and fidelity not elsewhere found. He reiterates that there has been carelessness or inefficiency in performing the duties imposed by law upon the Board, and he insists that the record shows that carelessness and extravagance in some places has been rewarded by promotion, and that the discipline for violation of rules and law has not been such as an honest difference of opinion would justify. He alleges that the police force have not in some instances had the good example of the Board to guide and stimulate them, but have been witnesses of the contrary. He insists that it is well known to the Board of Police that certain members of the police force received instructions from at least one of them, what party to assist or hamper at the election held in November, 1878, and he declares his opinion that such a course was destructive of all discipline and contrary to the express rules of the Department. He alleges that during the past six months the influence of those actively engaged in politics has been more successful with the Board of Police in preventing punishment to offenders than was consistent with their duty, sitting as an executive and quasi-judicial body, and that such a course has borne evil fruits. He states that the transfers of many members of the force, as high as the rank of captain, have been made to gratify personal spite, or advance individual or party interests, and he believes that the non-assignment and refusal to permit the Superintendent of Police to assign two captains of police to any duty, save drawing their salary, since September 13, 1878, to the present time, is inexcusable. He alleges that there is a dilatoriness in imposing punishments on offenders apparently measured by the number and strength of the adherents of the accused, and he believes that the attempt to remit a fine regularly imposed upon a patrolman, and which became a portion of the Pension Fund, under the law sacred and inviolable, indicates a desire to tamper with that fund, which is unpardonable. He insists that it was a grievous wrong to refrain for three months from awarding pensions to petitioners entitled to them under the law—some of them sixty-nine years old—until a new statute became operative and their rights became obscure and the amount of pensions diminished. And he states further that the evils and abuses, some of which are above alluded to, are known to exist by all the members of the Police Board just as well as to Commissioner Erhardt, and it is also known to them that the past eight months have witnessed a most rapid demoralization of the force, which still continues; and he states in conclusion, that he is unwilling by his silence to seem longer to be responsible for the acts of four men with the power of one only.

"JOEL B. ERHARDT,

"Chairman of Committee on Rules and Discipline."

On the day after its publication this explanation was read to the Board of Police and ordered on file. I thereupon requested Mr. Erhardt, in writing, to inform me of the facts upon which his allegations were based. To this Mr. Erhardt replied evasively. To a further repetition of the request he made a further evasive reply, coupled with the misstatement that he had already informed me of all the principal facts which I asked him to state and that he had recounted these facts with specifications and particulars in the presence of another Commissioner of Police. I then requested him to appear before me and give the desired information.

On the 15th of February, and on several subsequent days, Commissioner Erhardt came before me and submitted many papers and made extended statements. His answers were in many respects evasive, and manifested an unwillingness to candidly give full information and disclose the whole truth concerning the Department. A copy of the stenographic minutes of these interviews was delivered to each of the other Commissioners. Whatever publicity was given to them came through other agencies than mine. I exclude from consideration concerning the other Commissioners, the ex parte statements of Commissioner Erhardt to me, and make no use of them except as to him.

From personal examination I have found many of the streets in a state so filthy as to be a source of great discomfort to our citizens, a serious impediment to traffic, and a danger to the public health;

the greatest abuses being in the portion of the city occupied by tenement houses with their crowded population, where mounds of ashes, garbage and refuse were allowed to accumulate for weeks.

It appeared from the records of the Department, that the number of arrests made had been rapidly decreasing since 1876; being 4,600 less in 1877 than in 1876, and in 1878 nearly 12,000 less than in 1877, and about 16,000 less than in 1876, while in the years 1874, 1875 and 1876, the variations were small, in no case exceeding 1,500. During the first three months of the present year the arrests were about 14,000, or over 8,000 less than during the same period in either of the last preceding five years.

After the close of the interviews with Commissioner Erhardt, and while I was considering how best to correct the existing evils, I received from Commissioner Smith, just before it was given to the public press, a letter wherein he denounced the communication of Commissioner Erhardt to me, as the defamatory statements of a scandal-monger, characterized throughout, so far as they concerned him, by falsehood or perversion.

The letter was as follows:

NEW YORK, March 11, 1879.

Hon. EDWARD COOPER, Mayor of the City of New York:

Sir—I lately received from you a copy of the minutes of a conversation between you and Mr. Joel B. Erhardt. I understand from your remark, reported on page 771 of these notes, that you have regarded the interview as designed to afford information concerning matters which might subsequently become the subject of proof and disproof, inasmuch as you there say that the general theory is that "it is not proof that we are after now so much as it is a statement of things that can be proven hereafter."

The defamatory statements of a scandal-monger, set forth in the eight hundred pages you have sent me, are entitled to notice on my part solely by the reason of the fact that they have been made to you as Mayor of this city. I notice them only to say this: Mr. Erhardt's representations, so far as they concern me, are characterized throughout by falsehood or perversion; wherever they are not false they are perverted to false conclusions.

I observe that you speak of the conversation between yourself and Mr. Erhardt in the following words: "My own impression is that we have wasted a good deal of time, and given the stenographer the work of putting down a good deal that will seem to anybody that reads it as being very absurd." To the correctness of this remark, I think every one who reads the minutes must assent.

Yours respectfully,

W. F. SMITH.

From the dissensions existing in the Board, the deterioration in the efficiency of the force, and the neglect of the Board to perform its duty in respect to street cleaning, I became convinced that the Board, as constituted, could not be relied upon to correct the existing abuses, and that it was my duty to remove such of the Commissioners as should be unable satisfactorily to show that they were not personally chargeable with the mal-administration and neglect of the Board.

Anxious to proceed within the spirit as well as the letter of the law, I examined the statutes relating to my powers, and informed myself of the methods adopted in similar cases by my predecessors. It did not appear that they had so acted as to establish a system of practice, or to leave precedents which should be followed. It did appear from the statutes that the proceeding could not be in the nature of a trial, as no authority is given to administer oaths or to compel anyone to give evidence. I also applied to the Counsel to the Corporation concerning the nature of the hearing provided for. His interpretation of the law agreed with mine. I received from him an opinion which was subsequently, and before the hearing, reduced to writing as follows, viz.:

LAW DEPARTMENT,
OFFICE OF THE COUNSEL TO THE CORPORATION,
NEW YORK, March 18, 1879.

Hon. EDWARD COOPER, Mayor of New York:

Sir—I have examined the question submitted by you as to the nature of the hearing provided for by the twenty-fifth section of the City Charter in case of the contemplated removal of heads of departments. The only provision of law upon the subject is as follows:

"The heads of all departments, including those retained as above, and all other persons whose appointment is in this section provided for, may be removed by the Mayor for cause, and after opportunity to be heard, subject, however, before such removal shall take effect, to the approval of the Governor, expressed in writing. The Mayor shall in all cases communicate to the Governor in writing his reasons for such removal."

"Whenever a removal is so effected the Mayor shall, upon the demand of the officer removed, make in writing a public statement of the reasons therefor."

These are all the provisions of law upon the subject.

The system is partly analogous to the provision of the constitution with reference to the removal of county officers by the Governor.

Article 10, section 1, of the constitution, provides that "the Governor may remove any officer in this section mentioned within the term for which he shall have been elected, giving to such officer a copy of the charges against him and an opportunity of being heard in his defense."

The difference between the two systems is very significant. In the case of the removal of county officers by the Governor, it is provided that there shall be charges which shall be given to the officer proceeded against, and he shall have an opportunity of being heard "in his defense."

In the case of the removal of heads of departments there is no provision requiring charges or the presentation to the officer of anything in the nature of charges, but simply that the removal shall be for cause, and after the officer has had an opportunity of being heard. And it was clearly in the mind of the framers of the charter that a formal statement of the reasons of the removal might not be made before the Mayor had acted, and hence the proviso that "whenever a removal is so effected the Mayor shall, upon the demand of the officer removed, make in writing a public statement of the reasons therefor."

There would be no occasion for this provision if it had been in contemplation that any public statement of the grounds of removal would have been made as the initial step of the proceedings followed by anything in the nature of a semi-judicial investigation.

The other important difference between the system established for the removal of county officers by the Governor, and that for the removal of heads of departments, is that in case of removal by the Governor there are provisions of law for the taking of proofs, and for a semi-judicial investigation of the truth of the "charges" preferred.

The provisions of the Revised Statutes, volume 1, pages 123-4, taken with chapter 529, Laws of 1866, provide that the Governor "may" take the testimony himself, or direct the District Attorney of the county to investigate the truth of any "charges" preferred, with power to subpoena witnesses before a County Judge, or a Commissioner appointed for the purpose by the Governor. There are also provisions for administering oaths, for enforcing obedience to subpoena, and making false swearing perjury.

All these things are necessary whenever anything in the nature of a trial of the truth of charges is to be conducted.

There are no such provisions of law with reference to the removal of heads of departments by the Mayor. He is not furnished with the means of conducting any such inquiry, nor is there anything in the law which seems to have in contemplation such a proceeding.

It seems to have been left with the Mayor of the city and the Governor of the State to act in the cases under the sense of official responsibility felt by them in each case, and with the view that it could be reposed in the hands of two such high officials not to abuse such a trust. But for the benefit of the official affected, three things are specifically provided:

First—That he should not be removed without "an opportunity of being heard" before the Mayor as to the things supposed by the Mayor to constitute "cause" for removal.

Second—That the Mayor shall "communicate to the Governor in writing his reasons for such removal."

Third—That "whenever a removal is so effected the Mayor shall, upon the demand of the officer removed, make in writing a public statement of the reasons therefor."

I have examined the new Code of Procedure for the purpose of ascertaining whether there are any general provisions of law which could be relied upon as giving the Mayor power to administer oaths and conduct the examination of witnesses under the penalty of perjury for false swearing, and generally providing the means of conducting a semi-judicial investigation. The language of section 854, with reference to requiring the attendance of witnesses by subpoena, is very broad. It authorizes the issuing and service of a subpoena "where a judge, or an arbitrator, referee or other person, or a board or committee has been heretofore or is hereafter expressly authorized by law to hear, try or determine a matter."

This covers every case where any person is expressly authorized by law "to hear" a matter. But when you look to the sections of the same chapter of the code which must be relied upon for the authority to administer an oath to a witness when he has appeared in answer to a subpoena, under the penalty for perjury in case of false swearing, the authority given to a Mayor, along with other persons to administer an oath, is limited to these cases where an oath or affidavit is "required or authorized by law." And there is no provision of law authorizing the administration of an oath in the proceedings before the Mayor.

There is no question of the authority of the Mayor to administer an oath wherever the law authorizes an oath to be taken, for he has the powers of a justice of the peace.

The other judicial functions formerly possessed by him have been taken away by acts of the Legislature.

The fact that the Mayor is to this extent a magistrate does not authorize him any more than it does a notary public to erect a semi-judicial tribunal, except in cases where the Legislature has authorized it.

There is no provision of law for any such thing in the case of the removal of the head of a department. And I am satisfied these provisions of the new code confer no new power in this regard, but refer to cases where under laws existing at any time, something in the nature of a judicial proceeding is authorized. In all such cases the code provides the means for executing the power.

I conclude, therefore, that there is no provision of law for anything in the nature of a trial in the case of the contemplated removal of a head of a department.

Of course, at the mere suggestion of such an idea, it strikes the unprejudiced mind that if any such thing had been in contemplation, some definite provision would have been made for the necessary assistance to the Mayor, either by authorizing the appointment of a Commissioner to take and report the testimony, or at least some mode of proceeding would have been definitely provided, adequate for the occasion. For if a trial is to be had, it must be a fair trial, and in such case the orderly but protracted methods of investigation, known to courts of justice, cannot well be avoided, and if the removal of a public officer can only be made after such a proceeding, it cannot well take place at all if there is a disposition to prevent it on the part of the officer concerned, unless, indeed, the Mayor neglect all other duties for the purpose. It is wholly impracticable for him to do any such thing, and if attempted it can only degenerate into a farce, for a trial without any known mode of procedure being made applicable to it by law, is just what anybody may choose to make it.

The removal for cause, which the Mayor is authorized to make, is not so much a judicial as an executive act—not intended to be an arbitrary executive act, as is plainly to be inferred from the provision requiring "cause" to be stated, but is evidently not a judicial act, as the absence of any provision for a judicial procedure plainly shows.

In placing upon the Mayor of the city the responsibility of seeing that the laws are enforced, with the power to that end of appointing the main city officials, and of removing them, with the concurrence of the Board of Aldermen in one case, and of the Governor in the other, it was, doubtless, considered that his responsibility to the public sentiment of the community would be the safeguard against an abuse by him of the power conferred.

And this is what the law intended to secure when it was provided that his act of removal should be a public one, for causes upon which the officer must be permitted to be heard, and for reasons which must be transmitted in writing to the Governor, and spread upon the public record for the information of the public—the tribunal in the presence of which he acts.

I am, sir, yours, respectfully,

W. C. WHITNEY, Counsel to the Corporation.

Although no causes of removal are by law required to be assigned before the hearing, I, in order to give the Commissioners the fairest opportunity, prepared a communication containing a statement of certain such causes or facts with which I had become acquainted through my own observation, or the official records made by the Board, or from other reliable information, which communication was in form following:

MAYOR'S OFFICE, NEW YORK, March 14, 1879.

—, Police Commissioner of the City of New York:

SIR—Under the Board of Police, of which you are a member, the government and discipline of the police force has become lax and incapable; the police force has deteriorated in efficiency and it has become demoralized.

The Board of Police of which you are a member, has not caused the streets of the city to be thoroughly cleaned from time to time, and kept thoroughly cleaned, and has not removed from the city daily and as often as necessary all ashes, dirt, rubbish, and garbage.

You have been negligent in the discharge of the public duties which you were bound to fulfill. You have allowed personal dissensions to preclude the proper exercise of the official trust which you assumed.

Your conduct has been unbecoming your office.

These causes warrant your removal from office.

I will give you an opportunity to be heard thereon at twelve o'clock noon, on Wednesday, March 19, 1879, at the Mayor's office.

EDWARD COOPER, Mayor.

Under the Charter of this city "the government and discipline of the Police Department shall be such as the Board may, from time to time, by rules and regulations prescribe," and the whole Department is put "under the charge and control of four Commissioners, who shall perform all the duties, and exercise all the powers now by law conferred or imposed upon the Police Department." It is also provided by chapter 677 of the Laws of 1872, that "the Board of Police in the City of New York shall have full and exclusive power and authority, and is (hereby) charged with the duty of causing all streets, avenues

to be thoroughly cleaned, from time to time, and kept at all times thoroughly cleaned, and to remove from said city daily, and as often as necessary, all ashes, garbage, rubbish, and sweepings of every kind."

Under these provisions I made the statements relating to the condition of the Department and the cleaning of the streets, in my notification, in terms no less explicit than the law itself. I stated the failure of the Commissioners to discharge the important duties and exercise the ample powers committed to them as causes for their removal, upon the principle that public offices are created for the benefit of the public, and not granted for the benefit of the incumbents, and that there is sufficient ground for the removal of an officer, like any other agent, when he fails to fulfill the trust reposed in him, unless he can relieve himself from blame for such failure.

In the hearing before me it appeared that the Commissioners acted upon a different view. Their theory appeared to be that a member of a Board, once in office, is entitled to hold his place at the expense of the public welfare despite the failure of the Board to perform the duties imposed upon it, until by a detailed examination and statement of his course and conduct the cause of failure be so distinctly traced to him as to convict him of natural incompetence or specific wrongdoing, or neglect. I cannot accept this theory. I know no principle of justice which demands the sacrifice of public good to public officials. It cannot be that the municipality must suffer the evils resulting from the neglect of duty and the inefficiency of a board until it can be actually determined to what omissions or faults of individual Commissioners they are to be ascribed.

Of the last three causes assigned I had received sufficient information from trustworthy sources to make it proper, in my judgment, to include them. The course of each of the Commissioners on the hearing was such that the two causes last named in my notification were not inquired into at the hearing, and have not been further considered by me, inasmuch as sufficient appears to demand my action on the other causes stated.

At the time and place appointed Commissioners Erhardt, Nichols and Smith appeared in person and accompanied by counsel.

A transcript of the stenographer's minutes of the meeting I submit herewith.

It appears therefrom, that each of the Commissioners claimed—

First—That he was entitled to be heard through counsel, as a matter of absolute right, and,

Second—That the statement of causes of removal was not sufficiently specific to admit of answer.

The assistance of counsel was not denied to any of the Commissioners. Each was in constant consultation with his legal adviser, and the proceedings were frequently delayed for the purpose of such consultation, or in order that the counsel might prepare a written reply to be read by the Commissioners.

The Mayor, in the interest of the public, has a right to, and should, in my judgment, insist upon a full and frank answer by an official charged with neglect of duty to any question pertinent to the matter. Such answers should be answered by the officer in person and not by a third party whose knowledge, at best, must needs be at second hand. This right I could not surrender. The law prescribes concerning the summary examinations of the head of a department to be had upon application before a justice of the Supreme Court, that such officer shall answer pertinent questions, with the sole reservation that such answer shall not be used against him in a criminal proceeding. It is no sufficient reason for an officer to refuse to answer upon a hearing before the Mayor, that answers to pertinent questions concerning the administration of a department, or the failure to discharge the duty imposed by law upon it, or any neglect to perform official duties, would elicit facts militating against him. If the officer refuses to answer such question the presumption is that his answers would disclose facts damaging to him and justifying his removal.

The objection to the form and sufficiency of my statements of facts was unfounded. The principal causes of removal assigned were stated substantially in the language chosen by the Legislature to prescribe the duties of the Commissioners. Their truth or untruth was peculiarly within the personal knowledge of the Commissioners. None should know better than they what, if any, excuse could be offered. No one could know better than they whether the police force was demoralized or the streets kept clean and the ashes and garbage removed. Each Commissioner was bset able, of all men, to say whether the facts which could not be contradicted, save by contradicting the evidence of my own senses, and the official records of the Board of Police were capable of explanation on his part.

These facts not being in doubt, the burden was upon each Commissioner to state sufficient reasons to vindicate and justify his own actions. Each Commissioner had a fair opportunity to be heard, and to have a frank and open discussion with me of the facts in general and in detail, and to make any explanations he might offer therefor; with what result an examination of the proceedings will show. To urgent repeated questions I received either no answer at all or answers not pertinent or evasive. They practically refused to avail themselves of an opportunity for a full hearing, and I am led to the conclusion that they were unwilling to encounter it. Having thus considered the matter common to the several Commissioners, I proceed to a consideration of the case of each one separately.

COMMISSIONER ERHARDT.

Commissioner Erhardt preliminarily objected in writing to proceeding with the hearing as to him that his term of office has expired. This objection I deemed insufficient. Section 25 of the Charter provides that "every head of the department * * * shall hold office for the term of six years, and in each case until a person is duly appointed in his place." Commissioner Erhardt was therefore as much in office as ever, and as answerable as ever for all the responsibilities thereto attached.

When asked to answer specifically as to the truth of the facts alleged by me, Commissioner Erhardt answered that the first allegation with reference to the laxity of discipline and demoralization of the force was true, as stated by me. To the allegation with reference to the street-cleaning, his answer was to the effect that the Board had appointed a committee of its members to take charge of that subject, and that until within the past few weeks he had not been on the committee, and that as a member of said Board of Police, and "in the exercise of all the powers conferred upon him by the said Board in relation to the cleaning of the streets, this respondent has faithfully and fully performed his duties." As his answer on this head took no position with reference to the fact alleged by me, I endeavored to get a positive answer upon that subject, but could not succeed in doing so. In order to make it clear to the Commissioners what my position was, I stated that if he denied the truth of the statement I would go into the specific facts with him justifying it, saying:

"I am prepared to state to Mr. Erhardt—if he denies the allegations contained here—I am prepared to go on with further questions and state certain specific facts that he can answer."

And further:

"The Mayor has his own knowledge which he will state to Mr. Erhardt, if he wishes him to do so, after Mr. Erhardt has stated whether he denies or admits in answer to such questions as I ask him. I am prepared to give him the information."

But the offer was of no avail. Commissioner Erhardt, for reply, relied upon his written answer, as he did in stereotyped phrase, to inquiries concerning his own conduct. Even when I asked him, "What have you done to correct the abuses which you admit to have existed in the Police Department, or to exist now?" Commissioner Erhardt rejoined, "I make the same answer, and I think that will close the case, Mr. Cooper." "The same answer" was to the effect that he had no further answer to make to the Mayor's communications.

Commissioner Erhardt thus distinctly admitted the first fact or cause of removal stated. The second he did not deny, although he endeavored to avoid his own responsibility by throwing it on his associates.

It is certainly a novel notion that Commissioners can divest themselves of accountability by distributing to one or more members duties charged by law upon all. Commissioner Erhardt is to be condemned, however, out of his own mouth, and on his own theory. The chief responsibility for the laxity and incapacity of the government and discipline of the Police Department, and for the deterioration and demoralization of the Police Force—all admitted by Mr. Erhardt—must on his own theory and prima facie, belong to the "Committee on Rules and Discipline," of which he is, and long has been, the Chairman, and which, as he stated to me in his interviews at the City Hall, he considered his special department, and under his particular charge. The care of this he regarded such an engrossing employment, that when he professed to have found good reason for him to believe that a thorough reorganization of the method of cleaning the streets was imperatively necessary; that men not able bodied were employed; that a good many of them were idling away their time; that the bureau was badly, if not dishonestly managed; his occupation as Chairman of the Committee on Rules and Discipline prevented him from doing anything effective toward a betterment of the cleaning of the streets. "I was," said he, "specially charged in looking after the efficiency and discipline of 2,500 uniformed men, with their enemies and friends and the public; to see that the public got the full value of \$1,200 from each patrolman, and that I was so much occupied in that, that only occasionally, as an intense feeling of disgust would come (in which, perhaps, I may have been wrong) did I offer resolutions to make the reports and investigations your Honor alluded to the first day."

In view of the foregoing, little need be said about his assertions of faithfulness or his denials of neglect.

The significance to be given to them may be determined from his statement relating to his charge of indifference and carelessness in the handling of the large sums of money by the Board of Police, appearing in the following extracts from the stenographic minutes of his interviews with me at the City Hall:

"Mr. Cooper—In acting as a member of the Board of Police in the auditing of the accounts, have you any knowledge of any public moneys being paid to people who did not earn them, or who were not entitled to receive them?"

"Mr. Erhardt—I am not on the Auditing Committee."

"Mr. Cooper—But you are a member of the Board, and as a member of the Board you are an auditor, because the Board is the final auditor, as you say?"

"Mr. Erhardt—That is a matter upon which I do not express any opinion."

"Mr. Cooper—What I want to get at is whether Mr. Erhardt himself personally knows of any case when the public money has been applied improperly?"

"Mr. Erhardt—I know that there has never been a Mayor who has looked into that office."

"Mr. Cooper—That does not answer my question."

"Mr. Erhardt—All that I know is that I am not on the Auditing Committee, and I know that since they passed the Seneca bill (July 21, 1878), I have refrained from taking any part in the matter relating to the payment of bills."

COMMISSIONER SMITH.

In the case of Commissioner Smith, the denial of the truth of the first two allegations was evidently made upon the same ground as that adopted by Commissioner Erhardt. He said, "So far as I am concerned, it is not true that the government and discipline of the police force have become lax or incapable under the Board of Police, of which I am a member. It is not true that the police force has deteriorated in efficiency, or that it has become demoralized. It is not true, so far as I am concerned, that the Board of Police of which I am a member, has omitted to perform any duty or properly to exercise any authority imposed or conferred upon it by law, in respect to cleaning the streets of the City of New York."

"The assertions made in your letter, so far as they concern me, have no foundation in fact, and therefore do not and cannot lawfully constitute the cause for the removal contemplated by the statute."

"No specific act or omission is alleged; no particulars are stated as to time, place, or circumstance, so as to enable me to refute them," etc., etc. I gathered from a reading of this answer that the use of the phrase "So far as I am concerned it is not true," was not intended as a denial of the fact alleged by me, but rather a denial of his responsibility for it. I therefore questioned General Smith: "Do I understand you in this communication to deny that the government of the police force has become lax?" To which Commissioner Smith replied that he had no further answer to make than as contained in his written answer, and that he desired to answer through counsel—which I declined to permit. A similar question I put as to the truth of the second allegation and received a like reply.

In order to make it again clear that I was prepared to deal with facts of the minutest detail for his consideration, I stated: "The Mayor will say that he knows of his own knowledge that the streets have not been cleaned, and he is prepared to state to General Smith certain places and streets that have not been cleaned, and would like to ask if General Smith has anything to say in respect to them?" (Producing papers and memoranda.) "General Smith, are you familiar with the condition of Greenwich street—the condition in which it was from the Battery to Morris street—on the 12th of March?" Commissioner Smith replied: "I cannot answer any questions, Mr. Mayor, you disallowing the right to appear here by counsel."

There was upon his part a positive refusal, therefore, to enter into any consideration of the more specific facts justifying the statement of cause made by me.

The hearing in Commissioner Smith's case ended by his refusal to either admit or deny specifically the truth of the statement of causes submitted by me, except in the form of his written answer, and his refusal to go into a consideration of the details which I offered to enter upon as justifying my written statement, unless he could appear by counsel.

COMMISSIONER NICHOLS.

Commissioner Nichols objected to the tenor of my notification, as containing a statement of conclusions of fact, and a prejudgment that those facts warranted his removal.

If my information had not been such as to cause me to come to the conclusions stated in my notification, I should not have stated them. Nor should I have notified him that I would give him an opportunity to be heard had I not believed that the existence of these facts warranted his removal, in case he were not able and willing to explain their existence, and to show that he was not personally answerable therefor.

Although I did not allege that he or any other Commissioner had embezzled the public money, or appropriated property belonging to the Department, Commissioner Nichols, for some reason, went out of his way to affirm that at all times during his Commissionership all moneys taken from the public treasury, or allowed for street cleaning purposes, have been properly and faithfully applied to such purposes.

To each of the allegations in my notification, including that relating to the streets, Commissioner Nichols put in a flat denial, saying, "I deny that the Board has, or that I, as a member thereof, have failed or omitted to do or perform any duty imposed upon me or it, by law, in respect to cleaning the streets or removing from the city ashes, dirt, rubbish, or garbage." As the duty imposed upon the Board in the premises is that of "causing all streets, avenues, lanes, alleys, gutters, wharves, piers, and heads of slips in said city to be thoroughly cleaned from time to time, and kept

at all times thoroughly cleaned, and to remove from said city daily, and as often as may be necessary, all ashes, garbage, rubbish, (and) sweepings of every kind," his denial of the second principal allegation in my letter could not well be more strong and explicit.

If Commissioner Nichols employs the words used in his answer and understands those used in chapter 677 of the Laws of 1872, in their ordinary sense, he denies that the streets of this city are not cleaned and are not kept cleaned. In other words, Commissioner Nichols has the assurance to deny what no other person in the City of New York, so far as I am aware, denies or calls in question, and what every city newspaper that has come under my notice has asserted, that the streets have been in a disgracefully dirty condition. Commissioners Erhardt and Smith, his associates, practically admit that the streets have not been kept cleaned, but each put in a disclaimer of his personal responsibility. Commissioner Nichols controverts the fact itself, and I must then believe him either to be unaware of the facts as they exist, or to state that which I know to be not true. If he was not aware of the filthy, inconvenient, and unhealthy condition of the streets, then he is, of all men, unworthy of his office and neglectful of his duty.

As is well known in the community and as appears by the official CITY RECORD of the 11th day of May, 1876, Commissioner Nichols was long ago appointed on the Committee of Street Cleaning, and assigned by his colleagues to the chief care of that bureau in the Police Department. It is well known also that he has continued to be, and still is, the Chairman of that Committee. It is to be assumed, therefore, that he, if any one, is answerable for the neglect to discharge the duty imposed by law of cleaning the streets.

I called the attention of Commissioner Nichols to his answer, and asked whether he intended to admit or deny the fact that the streets had not been thoroughly cleaned from time to time, and kept cleaned, as required by statute, but could get no satisfactory answer from him. Thus, I said: "Mr. Nichols, as I have been around the city a good deal, I have observed the condition of the streets myself. I am prepared to state to you a good many places in the city where the streets have not been cleaned as required by the statute. Do you wish me to specify them to you—the particular places?" And again: "I ask you whether you wish to have specifications of particular streets and places, from which the dirt and rubbish have not been removed, as required by statute?" Still further: "I say now to Mr. Nichols, in regard to these charges, especially in regard to the street cleaning—of which he is Chairman of the Committee which has special charge of it in the Board of Police, as I understand—if he has anything to say at all in respect to either the fact that the streets have not been thoroughly cleaned, as required by statute, or anything to say in explanation or excuse of its not being done so, I am prepared to hear it." In answer to all of which, and much more calculated to afford him an opportunity of making some explanation, I was compelled to listen to the repeated recitation by him of two answers written by counsel, to the effect, that when proper charges and specifications had been made, and he had had reasonable time to reply, he would do so.

Commissioner Nichols, as were the others, was given permission to submit anything in writing or in print, at any time within the day, after the hearing. Of this Commissioner Nichols said: "After consultation with my counsel, I accept of your offer for the next twenty-four hours to submit some papers. I will see what I will do, and submit anything that I have."

Neither he nor his colleagues availed themselves of that permission. The details particularly set forth in the stenographer's minutes more fully show the positions advanced by the Commissioners. I therefore desire to call your Excellency's special attention to the printed record.

Were anything wanting to show that the position taken by the Commissioners is not tenable, sufficient may be found in the measure of responsibility to which they hold their subordinates, and in the practice established by them for the formal examinations conducted by or before them under the statute constituting the Board an organized tribunal.

In the official manual of the regulations prescribed by the Commissioners for the government and discipline of the Police Department, it is provided, that "each Inspector shall be responsible for the preservation of the peace and protection of life and limb in his district and for the discipline of the force therein" (R. 200).

"Inspectors shall see that within their district the laws of the State and the ordinances of the Corporation, of which the Police Department has cognizance, are enforced, and shall cause nuisances to be removed" (R. 202).

"Captains will be held strictly responsible for the preservation of the public peace in their respective precincts" (R. 220).

"Captains shall, subject to the orders of their superiors in command, and the orders, rules, and regulations of the Department, have control of the sergeants, roundsmen, and patrolmen of the force of their respective precincts, and will be held accountable for their good conduct and efficiency" (R. 228).

"No counsel are required, but may, in the discretion of the Board, be allowed" (R. 131).

"Nor shall counsel sum up without the consent of the Commissioner or Commissioners conducting the trial" (R. 219).

After giving the fullest consideration to the case, and having been advised by counsel learned in law that my judgment of the law and the practice applicable to the premises was correct, I reached the conclusion hereinbefore expressed. Desirous, however, of affording them the most ample opportunity to be heard, I sent to each Commissioner the following notice:

"NEW YORK, April 3, 1879.

"Commissioner of Police, City of New York:

"SIR—Herewith I send you a printed copy of the stenographer's minutes of the proceedings had by and before me on the 19th day of March last, pursuant to my notification to you of the 14th of that month. I have carefully considered the statements made by you. Before final action thereon I am willing, lest there may have been misapprehension on your part, to afford you a further opportunity for answer, explanation or excuse. I therefore notify you that I will give you a further opportunity to be heard before me at the Mayor's office, at 11 o'clock in the forenoon of Saturday, the 5th instant. I will also then receive from you any statement, explanation or argument in writing.

"In the absence of further answer or explanation by you, and upon the statements of cause heretofore made by me to you, if the record shall remain unchanged, I shall transmit the same, together with a certificate of your removal from the office of Police Commissioner, to the Governor for his approval.

"EDWARD COOPER,
"Mayor."

None of the Commissioners appeared, either in person or by counsel, at the time and place appointed; but each sent a written communication* wherein he practically reiterated the position taken by him at the original hearing. I transmit copies of these communications attached hereto without further comment than that I discover nothing in them to change my views.

In the performance of my duty to keep myself informed of the doings of the several Departments, and to see that the laws and ordinances are enforced, I have ascertained and find that, as matters of fact, the government and discipline of the police force have become lax and incapable; the police force has deteriorated in efficiency, and it has become demoralized; the Board of Police has not caused the streets to be thoroughly cleaned from time to time and kept thoroughly cleaned, and has not removed from the city daily, and as often as necessary, all ashes, dirt, rubbish, and garbage.

For this state of things the persons comprising the Board of Police are responsible. I have also ascertained, and find as matter of fact, that Police Commissioners Joel B. Erhardt, Sidney P. Nichols, and William F. Smith have each been negligent in the discharge of the public duties which they are bound to fulfill.

I have given them, and each of them, full opportunity to be heard. Of that opportunity they have availed themselves, but without offering any satisfactory explanation, justification or excuse.

I have therefore considered it my duty to remove Joel B. Erhardt, Sidney P. Nichols, and William F. Smith from office. I believe that, if I neglected so to do I should myself be responsible for the continuance of the present condition of the city and of the abuses which exist in the Police Department.

EDWARD COOPER, Mayor of the City of New York.

MAYOR'S OFFICE, NEW YORK, April 5, 1879.

I, Edward Cooper, Mayor of the City of New York, do hereby certify that, in virtue of the authority vested in me by section 25 of chapter 335 of the Laws of 1873, entitled "An act to reorganize the local government of the City of New York," I have this day, for cause, after opportunity to him afforded to be heard, and after actually hearing him, removed Joel B. Erhardt from the office of "Police Commissioner of the City of New York."

The causes of removal are:

First—That, under the Board of Police, of which the said Joel B. Erhardt is a member, the government and discipline of the police force have become lax and incapable, the police force has deteriorated in efficiency and it has become demoralized, and that no satisfactory explanation thereof, or satisfactory excuse therefor, has been made by the said Joel B. Erhardt, exonerating either himself or said Board from responsibility and blame.

Second—That the Board of Police, of which the said Joel B. Erhardt is a member, as aforesaid, has not caused the streets of the city to be thoroughly cleaned from time to time, and kept thoroughly cleaned, and has not removed from the city daily, and as often as necessary, all ashes, dirt, rubbish, and garbage, and that no satisfactory explanation thereof, or satisfactory excuse therefor, has been made by the said Joel B. Erhardt, exonerating either himself, as a member of said Board, or said Board, from responsibility and blame.

Third—That the said Joel B. Erhardt, as such Commissioner of Police, has been negligent in the discharge of the public duties which he was bound to perform.

EDWARD COOPER, Mayor.

* Delivered shortly after the time appointed for the hearing.

MAYOR'S OFFICE, NEW YORK, April 5, 1879.

I, Edward Cooper, Mayor of the City of New York, do hereby certify that, in virtue of the authority vested in me by section 25 of chapter 335 of the Laws of 1873, entitled "An act to reorganize the local government of the City of New York," I have this day, for cause, after opportunity to him afforded to be heard, and after actually hearing him, removed Sidney P. Nichols from the office of "Police Commissioner of the City of New York."

The causes of removal are:

First—That under the Board of Police, of which the said Sidney P. Nichols is a member, the government and discipline of the police force have become lax and incapable, the police force has deteriorated in efficiency, and it has become demoralized, and that no satisfactory explanation thereof, or satisfactory excuse therefor, has been made by the said Sidney P. Nichols, exonerating either himself or said Board from responsibility and blame.

Second—That the Board of Police, of which the said Sidney P. Nichols is a member, as aforesaid, has not caused the streets of the city to be thoroughly cleaned, and has not removed from the city daily, and as often as necessary, all ashes, dirt, rubbish, and garbage, and that no satisfactory explanation thereof, or satisfactory excuse therefor, has been made by the said Sidney P. Nichols, exonerating either himself, as a member of said Board, or said Board, from responsibility and blame.

Third—That the said Sidney P. Nichols, as such Commissioner of Police, has been negligent in the discharge of the public duties which he was bound to perform.

EDWARD COOPER, Mayor.

MAYOR'S OFFICE, NEW YORK, April 5, 1879.

I, Edward Cooper, Mayor of the City of New York, do hereby certify that, in virtue of the authority vested in me by section 25 of chapter 335 of the Laws of 1873, entitled "An act to reorganize the local government of the City of New York," I have this day, for cause, after opportunity to him afforded to be heard, and after actually hearing him, removed William F. Smith from the office of "Police Commissioner of the City of New York."

The causes of removal are:

First—That under the Board of Police, of which the said William F. Smith is a member, the government and discipline of the police force have become lax and incapable, the police force has deteriorated in efficiency, and it has become demoralized, and that no satisfactory explanation thereof, or satisfactory excuse therefor, has been made by the said William F. Smith, exonerating either himself or said Board from responsibility and blame.

Second—That the Board of Police, of which the said William F. Smith is a member, as aforesaid, has not caused the streets of the city to be thoroughly cleaned from time to time, and kept thoroughly cleaned, and has not removed from the city daily, and as often as necessary, all ashes, dirt, rubbish, and garbage, and that no satisfactory explanation thereof, or satisfactory excuse therefor, has been made by the said William F. Smith, exonerating either himself, as a member of said Board, or said Board, from responsibility and blame.

Third—That the said William F. Smith, as such Commissioner of Police, has been negligent in the discharge of the public duties which he was bound to perform.

EDWARD COOPER, Mayor.

NEW YORK, April 5, 1879.

Hon. EDWARD COOPER, Mayor, etc.:

SIR—I have received your letter of the 3d instant offering to me what you are pleased to call a further hearing regarding your threat of removing me from office. I respectfully decline to appear before you further. I do so because I have no office to protect, no rights of which you can deprive me; I am simply discharging the duties of an office which I long since requested you, and the law has long required you, to fill by the appointment of my successor.

You have, and ever since you became Mayor have had, the power at any moment to relieve me of the performance of my duties. More than this you cannot do. How soon you do it I care not. Whether you do it in a legal and decent manner, or illegally, improperly and indecently, is of more importance to you than to me. Even if I had an office to protect I should still decline to appear before you because you do not, in fact, give me an opportunity to be heard. By common law, common justice and common sense, the right of an accused person to be heard regarding any alleged offense, means a right to be heard regarding the facts which constitute the offense, and involves some sort of statement of what the facts are charged to be. This you have refused, and you still refuse, and therefore your offer of a hearing is wholly illusory and is of only a pretended and a sham hearing, carrying with it a real denial of the hearing which you are bound by law to give a Police Commissioner, and the Commissioner is entitled by law to have.

You charge me generally with neglect during an official career that has existed since 1875. You must have in your mind some supposed facts which you think sustain this charge. You will not tell me what these facts are. How then can I refute them? You must be acting on some sort of evidence; how can I meet this evidence while you conceal from me what it is; you refuse to specify any act or fact of my official life which has been wrong? You cannot do it. Your refusal is proof that you cannot; and under your refusal there is no hearing that I can have; there is no hearing which the most innocent and faithful officer on earth could have except to say as I have said and now say—your charges are utterly false and unfounded. It is, moreover, useless for me to attempt to influence or affect your judgment because you had already reached your determination before you entered upon your course of action, and because the true reasons which actuate you you do not disclose and I can only conjecture.

When you became Mayor I assumed that it was your purpose to act in the interests of the people at large and to secure all possible reforms in the administration of the city government. I did my best to assist you. I made my efforts to this end paramount to any considerations of political support for myself and paramount to the considerations of comfort and pleasant relations with my associates.

To aid you, I put myself in a position where you can attack me with no penalty but that which follows injustice. I spent weeks in giving you the fullest possible information and answering all conceivable questions regarding the Police Department. If your motives of action regarding the Police Department were for the public good, and you believed that I was a bad officer, why did you not supersede me by the appointment of a successor? Instead of that you turned upon me without a word of warning, and chose to accomplish the same result in a manner as offensive and injurious to me as possible.

You do not pretend, nor has even the whisper of scandal ever insinuated, that I have been a party to any dishonest practices. You do not specify any duty which I have ever neglected. You do not specify any wrong thing which I have ever done. The only motive which I can assign to your action is either to gratify personal spite of yourself or your advisers, or to subserve some occult political purpose, because you think your power as to the appointment of my successor will be greater in case you go through the form of removal than it is now.

Against such motives as these it is idle to argue. You may carry out your threat of sending to the Governor a certificate of my removal. It will be an empty form, and its only effect will be not to change my official position, but to impose upon you the guilt of an illegal, unjust and outrageous action.

Yours respectfully,

JOEL B. ERHARDT.

To the Hon. EDWARD COOPER, Mayor of the City of New York:

SIR—Your letter of the third of April, 1879, together with a printed copy of what purports to be minutes of proceedings had before you on the 19th of March, 1879, has been received. Your letter in effect states that after a careful consideration of my statements already made you have concluded to remove me from my position of Police Commissioner unless I modify the effect of those statements upon a further hearing which you state you will accord; and you furnish as a reason for affording me an opportunity to be further heard, the doubt whether there may not have been some misapprehension on my part. If your letter had stated upon what matter you may have supposed there was any misapprehension on my part, my reply to your letter would probably be more brief. Your course at the time of my appearance before you left me under no misapprehension upon the following points: First, That you declined to make any specification of what you see fit to term the statement of causes for my removal contained in your first letter. Second, That you adjudged I should be removed before hearing me. Third, That you declined to permit me to have the assistance of counsel before you. These matters of right refused to me I then regarded, and still regard, as essential to any legal or proper hearing upon any proceeding looking to my removal from office. If, however, your course on that occasion, as plainly as it seemed to deny me these rights, was misapprehended by me, and you propose now to accord them to me, I shall be pleased to find that I was under a misapprehension. If your letter were not written to me for the purpose of intimating that you would accord to us such rights, the purpose of it is completely enshrouded in doubt, for if your position toward me is to be unchanged, you could not but expect that mine toward you would be the same. Your proceeding against me for cause, if successful, as you well know, entails not only a removal from office, which carries with it a certain degree of odium, but also the penalty and stigma of qualified disfranchisement, and you can hardly believe it is the policy of the law to place a person in such jeopardy without affording him the opportunity of having some specification of the charge against him, or hardly expect that I would jeopardize my good name and position without having the opportunity of defense which are accorded to litigants over the most trifling sums. It is an appreciation of my rights, therefore, with a view to accord them, that I must believe prompted your notice of the 3d instant. If, however, I am mistaken, and I am to view this second notification as a renewed effort to accomplish a purpose thus far unsuccessful, I am compelled to seek in your letter and accompanying documents for matters not apparent on their face. The only one which I can discover that might be used to my detriment is that your reference to certain streets on certain dates in the minutes might be construed into being a specification of a statement of cause for my removal. If the printed copy of the minutes was sent to me for the purpose of having such effect, I am prepared to produce witnesses at such reasonable time as you may appoint, who will prove that my whole duty as Police Commissioner in having the streets specified cleaned on the dates mentioned has been performed, and

my whole duty performed in the employment of competent men, and securing from such employees faithful service. I will also prove by witnesses, should any charge be made by you in definite form, to the satisfaction of any tribunal, not committed in writing to a certain result, that the Street Cleaning Department, since I became chairman of the same, has increased steadily in efficiency, and under my chairmanship has cleaned a greater area and removed more dirt with a smaller expenditure of money than was ever done before.

Renewing all protests heretofore made, and notwithstanding your threat and declared resolve that I should be removed, I beg leave to ask the following questions:

First—Will specifications of the charges for my removal be furnished me?

Second—Will witnesses be produced to sustain the statement of causes for my removal, and shall I be permitted to be present when they testify, and examine them?

Third—Will I be permitted to introduce evidence to refute the charges made against me?

Fourth—Shall I be allowed the assistance of counsel upon this hearing?

I have heretofore orally, and in writing, stated to you if the Mayor will furnish to me specifications of the charges that he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard, and I am, and have at all times been, ready and willing to give the Mayor full information upon every subject connected with the Police Department or its operations, but it is improper for me, in a proceeding in which I am denied the right of counsel, and have not been furnished with any charges or specifications, to make answers which would seem to recognize in any way the proceedings against me.

Awaiting your reply, I remain,

SIDNEY P. NICHOLS.

New York, April 5, 1879.

NEW YORK, April 5, 1879.

Hon. EDWARD COOPER, Mayor of the City of New York:

SIR—Your letter of the third of April is received. You therein notify me that you will give me a further opportunity to be heard before you to-day, and that you will receive from me any statement, explanation, or argument in writing. I do not know what you mean. You made some general and indefinite charges against me, and I emphatically denied the truth of every one of them. What statement, explanation, or argument in writing can you suppose that I want to make about that denial?

It stands now as it stood then; it is true now as it was true then; while your charges are untrue now as they were untrue when you first made them, you have produced no evidence in support of them. You speak of a further opportunity to be heard. How can you talk about a further opportunity to be heard when you have given me no opportunity to be heard at all in any way in which accused persons usually are heard—through counsel. I am bound to assume, because you have given me no reason to think differently, that when you speak of an opportunity to be heard now, you do not use terms in their legal import, but with the same restricted, imperfect, and erroneous signification which your acts have shown you attached to them in your previous communication.

Your letter contains a despotic threat which I consider it most unbecoming in you to make. You threaten to send to the Governor a certificate of my removal if I do not appear before you this morning. Why should I appear before you, knowing from your own lips and your own pen that you have prejudged my case and are determined to remove me if you can? Why, under existing circumstances, should I appear before you again with my counsel to witness another exhibition of injustice and violence on your part, such as I witnessed in your office on the 19th of March? It seems to me that, considering your conduct, the "explanation and excuse" which you speak of should first come from you, and not from me. You propose nothing but a mockery of justice; why should I make myself a party to such mockery?

You once previously notified me that I might be heard before you, and when, in compliance with the notification, I appeared at your office with my counsel, to be heard through them, you unlawfully attempted to stop them by physical force. You signally failed in your efforts on that occasion. Are you better prepared now, and is that the reason you write me to subject myself afresh to the arbitrary exercise of your assumed official authority?

I solemnly warn you that you are proceeding without the sanction of the law and in flagrant violation of my legal rights, and I demand that no charges against me shall be acted upon by you until they shall have been definite and precise, until they shall have been sustained by proof, nor until I shall have had a fair and full opportunity to refute them by evidence, and to be heard through counsel.

Yours, respectfully,

WILLIAM F. SMITH.

Transcript of the Stenographer's Minutes of the Hearing before the Mayor of the City of New York of Joel B. Erhardt, Sidney P. Nichols, and William F. Smith, Police Commissioners.

MAYOR'S OFFICE, NEW YORK, March 19, 1879.

Mayor Cooper—I have addressed a letter to General Smith, Mr. Erhardt, and Mr. Nichols. Is Mr. Erhardt here? General Smith is here, I see, and Mr. Nichols is here. I will wait a few moments and see if Mr. Erhardt comes.

(After waiting a short time Commissioner Erhardt entered the room.)

Mayor Cooper—Mr. Erhardt, have you received a letter from me dated March 14?

Commissioner Erhardt—Yes, sir.

Mayor Cooper—Of which this is a copy (referring to a copy cut from a newspaper).

Commissioner Erhardt—I presume it is.

Mayor Cooper—There is one word inaccurately put. I suppose it is unnecessary to read the letter, Mr. Erhardt; we know what it is. Mr. Erhardt, under the charter, I sent you this letter—the provisions of the charter you are acquainted with—stating that you will have an opportunity to be heard at this place at 12 o'clock to-day. I propose now to hear anything that you have to say in respect to the matter set forth in my letter to you of March 14th. The stenographer can note that he enters the letter as a part of the minutes.

The letter is as follows:

MAYOR'S OFFICE, NEW YORK, March 14, 1879.

JOEL B. ERHARDT, Esq.,

Police Commissioner of the City of New York.

SIR—Under the Board of Police, of which you are a member, the government and discipline of the police force have become lax and incapable. The police force has deteriorated in efficiency and it has become demoralized.

The Board of Police, of which you are a member, has not caused the streets to be thoroughly cleaned from time to time, and kept thoroughly cleaned, and has not removed from the city daily, and as often as necessary, all ashes, dirt, rubbish, and garbage.

You have been negligent in the discharge of the public duties which you were bound to fulfill.

You have allowed personal dissensions to preclude the proper exercise of the official trust which you assumed.

Your conduct has been unbecoming your office.

These causes warrant your removal from office.

I will give you an opportunity to be heard thereon at 12 o'clock, noon, on Wednesday, March 19, 1879, at the Mayor's office.

EDWARD COOPER, Mayor.

Commissioner Erhardt—In answer to the letter to which you allude, I appear and will state (reading from a paper)—In the matter of the charges preferred by Hon. Edward Cooper, Mayor of the City of New York, against Joel B. Erhardt, Police Commissioner of the City of New York.

The said Joel B. Erhardt appears at the time and place designated for a hearing regarding the alleged causes for his removal in the notice served upon him, dated March 14, 1879, and respectfully represents to the said Mayor—

That the term of office of the said Joel B. Erhardt as Police Commissioner of the City of New York, for which he was appointed, expired on the 10th day of April, 1877, except that no successor to the said Erhardt having been appointed and qualified, he continues to hold the said office under the statute in such case made and provided, and has ever since the said 10th day of April, 1877, continued to discharge the duties of such office, only as holding the same until his successor shall be duly qualified, and he submits that he cannot be relieved of the duties imposed upon him in this behalf except by the appointment of a successor, and such successor's confirmation by the Board of Aldermen of the City of New York, and due qualification thereon.

Wherefore he says that the Mayor of the City of New York has no jurisdiction, power, or authority in this proceeding, or to remove him, the said Joel B. Erhardt, from office, without the concurrence of the Board of Aldermen.

JOEL B. ERHARDT, Police Commissioner.

Mayor Cooper—In my opinion I have a right to proceed, and I will now take up these matters *seriatim*, and if Mr. Erhardt has anything to say—

Commissioner Erhardt—An exception will be noted in regard to that.

Mayor Cooper—Yes.

Commissioner Erhardt—I will then state (reading the following paper)—

In the matter of the charges preferred by Hon. Edward Cooper, Mayor of the City of New York, against Joel B. Erhardt, Police Commissioner of the City of New York.

The said Joel B. Erhardt appears at the time and place designated for a hearing regarding the alleged causes for his removal in the notice served upon him, dated March 14, 1879; and having objected to the jurisdiction of the said Mayor to remove him from office in any other manner than by the appointment and confirmation of a successor to his office, and such objection having been overruled, he further represents—

First—That the allegations contained in the said notice or paper writing served upon him as containing charges or a statement of causes warranting his removal from office, are so general, indefinite,

vague, and uncertain that it is impossible to know from the said paper what specific acts or omissions are intended thereby to be alleged as cause for his removal.

Wherefore he says that there is not given to him any sufficient statement of charges or matters alleged as cause for his removal, or any knowledge of the causes which in the opinion of the said Mayor may warrant his removal from office, or any knowledge of the causes upon which an opportunity to be heard is afforded to him, or any sufficient opportunity to be heard against such removal within the true intent and meaning of the statute in such case made and provided.

Second—The said Joel B. Erhardt respectfully requests that the Mayor shall designate or specify with regard to the said charges respectively:

(1.) What wrongful acts or omissions to act on the part of the said Erhardt, the said Mayor charges to have contributed to produce, or to have constituted, or to have helped to constitute laxity or incapability in the government and discipline of the police force, or the deterioration or demoralization to which he refers in the first charge contained in the said paper.

(2.) What act the said Erhardt has omitted to do which he or any one in his place could have done to cause or help to cause the streets of the city to be or to be kept more thoroughly clean, or the ashes, dirt, rubbish, and garbage to be more frequently or completely removed from the city.

(3.) In the discharge of what public duties the said Erhardt has been negligent, and what he should have done in respect thereto that he has not done.

(4.) In what respect the said Erhardt has allowed personal dissensions to preclude the proper exercise of any official trust.

(5.) In what respect the said Erhardt's conduct has been unbecoming his office.

JOEL B. ERHARDT, Police Commissioner.

Mayor Cooper—How long have you been Police Commissioner?

Commissioner Erhardt—I was appointed on the 31st day of December, 1875.

Mayor Cooper—Do I understand you to assent to or deny the first allegation, that "under the Board of Police, of which you are a member, the government and discipline of the police force have become lax and incapable. The police force has deteriorated in efficiency and it has become demoralized." Is that true or not true?

Commissioner Erhardt—I think it is true, sir.

Mayor Cooper—In regard to the second allegation, "The Board of Police, of which you are a member, has not caused the streets to be thoroughly cleaned from time to time, and kept thoroughly cleaned, and has not removed from the city daily, and as often as necessary, all ashes, dirt, rubbish, and garbage." Is that true or not true?

Commissioner Erhardt—Of course, meaning to answer every proper question, I would ask what answer the Mayor makes to my questions?

Mayor Cooper—I wish to ask you, in the first place, whether these allegations are true or not true; if you say they are true, then you can give any reasons or excuses you may have in regard to the matter. The first question is, do you or do you not deny the second proposition in this letter?

Commissioner Erhardt—It occurs to me that perhaps this might be shortened. In case your Honor does not deem it proper to answer the specific questions that I have put, I will state that I have reduced to writing, as soon as it can be copied—I suppose it will be here in a very few minutes—a complete answer to the questions which are now put, and I prefer to put that in.

Mayor Cooper—Do you wish to wait until the writing comes?

Commissioner Erhardt—Yes, sir; it will be here in a few minutes; of course, unless there was an answer to the requests that I made—if you give an answer to the requests that I have made—

Mayor Cooper—I will hear what you have to say about the matter. In addition to your written answer, do you wish to say anything else?

Commissioner Erhardt—I beg your pardon.

Mayor Cooper—Do I understand you that this written communication—do you mean that to be your entire answer to the whole letter, or do you mean to make an oral answer besides that?

Commissioner Erhardt—I know we do not wish to get at cross purposes.

Mayor Cooper—Certainly.

Commissioner Erhardt—And perhaps the matter may be made clear if your Honor will answer my questions, yea or nay.

Mayor Cooper—I will wait until your communication comes.

Commissioner Erhardt—In the meanwhile there is no further answer in regard to that communication.

Mayor Cooper—It will be here in how long?

Commissioner Erhardt—I don't know. I understand your Honor does not give me the information which I ask you.

Mayor Cooper—I will ask you some questions which will give you the information when you are ready to answer them, as we go along.

Commissioner Erhardt—And in regard to the request I now make of your Honor—

Mayor Cooper—I propose to ask you some questions.

Commissioner Erhardt—I shall try to answer every question that is proper, and I would like in regard to the questions that I put, if your Honor would answer yea or nay. I suggest yea or nay because that is the shortest.

Mayor Cooper—I prefer to put the questions in my own way, and I will wait until you get your communication, and then you can answer or decline to answer the questions I ask you.

Commissioner Erhardt—In the meanwhile the Mayor does not answer me?

Mayor Cooper—I will wait.

After waiting a short time, the Mayor said—

Mayor Cooper—Mr. Erhardt, couldn't we save a little time by going on? You can put in the paper afterwards. Do I understand that you wish to make a written answer?

Commissioner Erhardt—There will be a written answer, unless there is some answer to the requests I have made.

Mayor Cooper—We may possibly save some time while we are waiting for Mr. Erhardt—unless General Smith prefers to wait until we have got through with Mr. Erhardt—by asking him some questions now.

Mr. Bartlett—One moment, Mr. Mayor, I appear here associated with my learned friend, Mr. Ecclesine, counsel for Gen. Smith.

Mayor Cooper—I decline to hear any counsel.

Mr. Bartlett—And when you are prepared—

Mayor Cooper—That is all, Mr. Bartlett, I see Gen. Smith. I have not time to hear anyone else. I decline to hear you.

Mr. Bartlett—When—

Mayor Cooper—I decline to hear you, I say. If Gen. Smith has anything to say I am prepared to hear him.

Mr. Bartlett—Gen. Smith has something to say, and I stand here to say it for him.

Mayor Cooper—I decline to hear you. That is all.

Mr. Bartlett—I don't know whether that is all, sir.

Mayor Cooper—I have told you I would not hear you. This is my office, and I request you to stop.

Mr. Bartlett—This is your office, sir, and I propose to say in behalf of Gen. Smith whatever shall be said by him in this matter.

Mayor Cooper—Gen. Smith have you anything to say in reply to my letter of March 14?

Mr. Bartlett—Gen. Smith answers that he has.

Mayor Cooper—Gen. Smith have you anything to say in answer to my letter of March 14?

Mr. Bartlett—Gen. Smith answers that he has, and is ready to say it now and here.

Mayor Cooper—Gen. Smith, have you anything to say? If Mr. Bartlett interrupts these proceedings any more I cannot permit it. You must not interrupt the proceedings. I am talking to Gen. Smith.

Mr. Bartlett—Gen. Smith is here with his counsel, prepared to be heard, and demanding a hearing.

Mayor Cooper—Gen. Smith, have you any reply to make to the allegations in the letter?

(No response.)

Mayor Cooper—I repeat the question, and if Gen. Smith makes no reply, I shall ask the stenographer to enter the fact that he makes no reply to my question. He has now an opportunity to be heard.

Mr. Bartlett—He does make a reply, Mr. Mayor.

Mayor Cooper—I decline to hear Mr. Bartlett at all. I will not hear counsel in this matter. I will hear Gen. Smith if he has anything to say.

Mr. Bartlett—He has something to say, and he wants to say it very much.

Mayor Cooper—Let him say it then.

Mr. Bartlett—He will say it through me; he is prepared to say it now through me. He claims his right to say it, Mr. Cooper, with all due respect sir—he claims his right to speak through counsel in answer to your request that he should attend here. He is here prepared to speak briefly and to the point, through counsel. I ask you in his behalf, he asks you, through me, to give him that opportunity which the charter makes it your duty to give him.

Mayor Cooper—The opportunity to be heard? Where does it make it my duty to hear counsel?

Mr. Ecclesine—That is a constitutional right.

Mr. Bartlett—He asks to be heard. Does the charter say anything about through whom he shall be heard; I ask your Honor if it is not one of the most sacred rights of American citizenship to be heard through counsel?

Mayor Cooper—Mr. Bartlett, I decline to hear any argument from you at all.

Mr. Bartlett—I ask your Honor, on General Smith's behalf, to hear his statement.

Mayor Cooper—I decline to talk with you. If Gen. Smith has a statement to make, I will hear it.

Mr. Bartlett—General Smith has something to say, and wants to say it, and I now propose to make a statement in his behalf.

Mayor Cooper—If General Smith proposes to say it he may.

Mr. Bartlett—He does propose to say it through me.

Mr. Bartlett here commences to read from a paper, as follows:

"NEW YORK, March 19, 1878.

"Hon. EDWARD COOPER, Mayor of the City of New York:

"Sir—

Mayor Cooper—Stop!

Mr. Bartlett (continuing)—"In response to your communication of the 14th instant, I make the following statement."

Mayor Cooper—Put down that counsel is speaking in defiance of my direction.

Mr. Bartlett (continuing)—"So far as I am concerned."

Mayor Cooper—I will not hear it (rising from his chair).

Mr. Bartlett (continuing)—"It is not true that the government and discipline of the Police force have become lax or incapable under the Board of Police, of which I am a member."

Mayor Cooper—Mr. Bartlett, I direct you to stop. If General Smith has anything to say I will hear him, but I will not hear counsel in this matter. If you go on I shall request the officer to stop you.

Mr. Bartlett—That you can do. (Continuing). "It is not true that the Police force has deteriorated in efficiency, or that it has become demoralized."

"It is not true, so far as I am concerned, that the Board of Police, of which I am a member, has omitted to perform any duty or properly to exercise any authority imposed or conferred upon it by law in respect to cleaning the streets of the City of New York.

"It is not true that I have been negligent in the discharge of the public duties which I was bound to fulfill."

Mayor Cooper—Mr. Bartlett, I have told you to stop. I will not hear you. Officer—(addressing Sergeant Conlon who has entered the room, having been sent for by the Mayor.)

Mr. Bartlett (continuing)—"It is not true that I have allowed personal dissensions to preclude the proper exercise of the official duty which I assumed.

"It is not true that my conduct has been unbecoming my office.

"The assertions made in your letter, so far as they concern me, have no foundation in fact, and, therefore, do not and cannot lawfully constitute the cause for removal contemplated by the statute—"

Mayor Cooper—Mr. Bartlett, if you do not stop, I shall put you out of my office. I will not hear you.

Mr. Bartlett (continuing)—"No specific act or omission is alleged; no particulars are stated—"

Mayor Cooper—Officer, put Mr. Bartlett out of the office.

Mr. Bartlett (continuing)—"As to time, place or circumstance—"

(The officer here approached Mr. Bartlett and spoke to him.)

Mr. Bartlett—I will not go with you.

(Mr. Bartlett stops reading the paper and hands it to Mr. Ecclesine, who begins to read it.)

Mr. Ecclesine (reading)—"As to time, place, or circumstance—"

Mr. Bartlett (to the Mayor)—You have not given any order in regard to Mr. Ecclesine.

Mayor Cooper—Mr. Ecclesine, I object to your interrupting the proceedings. I decline to hear you at all.

Mr. Ecclesine—We are here in the exercise of a clear constitutional right.

Mayor Cooper—I will not hear you, and if you propose to proceed I will put you out of the office.

Mr. Ecclesine—You have the physical power to do that.

Mayor Cooper—Officer, I request you, if Mr. Ecclesine does not stop, to put him out of the office. I will not have this proceeding interrupted by the interference of either of these gentlemen.

Mr. Ecclesine—If you undertake to do any illegal act you will be punished.

(The officer approaches Mr. Ecclesine, and Mr. Ecclesine hands the paper to Mr. Bartlett, who continues to read.)

Mr. Bartlett (reading)—"No specific act or omission is alleged; no particulars are stated—"

Mayor Cooper—Officer, you have your directions.

Mr. Bartlett—You cannot put me out of here; I deny any right to put me out of this office. Go on with the letter, Mr. Ecclesine (handing paper to Mr. Ecclesine).

Mayor Cooper—Officer, I request you to put these gentlemen out of the office unless they keep order.

Mr. Bartlett—The officer will do it at his peril.

Mr. Ecclesine (reading)—"No particulars are stated as to time, place, or circumstance, so as to enable me to refute them; and without specifications or proof to supply information on this point it is impossible to controvert your assertions, except as I have now done. If they are made more specific I can make my denial more specific. If you confront me with any proof to sustain them I can overthrow it by counterproof—"

Mayor Cooper—Officer, you have your instructions.

(The officer approaches Mr. Ecclesine and speaks to him.)

Mr. Ecclesine—No, sir; I will not. I am an officer of the Supreme Court of the State of New York, and a counsellor-at-law; I am appearing here in that capacity, and I desire that you take your hand off me, sir.

Mr. Bartlett—Go on, Mr. Ecclesine, go on.

Mr. Ecclesine (continuing)—"But until you specify the particular facts and circumstances on which you base your conclusions, and upon which you have seen fit to announce a judgment before a hearing, you do not afford me the opportunity to be heard, which the law prescribes. That opportunity I demand as a matter of right. I protest against any proceeding on your part looking toward my removal, except upon specific allegations of the cause for it, which I shall have an opportunity to controvert, supported by evidence, which I shall have an opportunity to confute."

"I have in all things conscientiously sought to do my duty, and I feel that I have in all things done my duty as a Police Commissioner, and member of the Board of Police of the City of New York."

"Yours, respectfully,

"WILLIAM F. SMITH."

Mr. Bartlett—I hand that communication to your Honor.

Mayor Cooper—I decline to receive it from you.

Mr. Bartlett—That is a communication from Gen. Smith, which I hand to your Honor, in answer to your communication sent by a messenger to Gen. Smith.

Mayor Cooper—Do you hand that as a messenger?

Mr. Bartlett—I hand it as a messenger.

Mayor Cooper—Is that signed by Gen. Smith?

Mr. Bartlett—You can look at it and see; I hand it from Gen. Smith; it is signed by Gen. Smith.

Mayor Cooper—Gen. Smith, you are here present; I ask if you have any communication to make, either orally or in writing, in reference to my letter?

Mr. Bartlett—He has this communication to make in writing.

Mayor Cooper—I don't know Mr. Bartlett in this matter. Gen. Smith, have you any communication to make, either in writing or orally?

(Mr. Bartlett here hands a communication in writing to Gen. Smith, and Gen. Smith hands it back to Mr. Bartlett, and Mr. Bartlett tenders it to the Mayor.)

Mr. Bartlett—There is a communication, sir.

Mayor Cooper—Is this a communication from Gen. Smith?

Mr. Bartlett—You saw Gen. Smith hand it to me to hand to you.

Mayor Cooper—Then I will take it. (Taking the paper.) Now, I give full notice that I am not going to hear any counsel in this matter at all. I have received this letter from Gen. Smith through the hands of Mr. Bartlett as a mere convenience in passing it up to me. I don't recognize Mr. Bartlett as counsel in any shape or form. Gen. Smith, do I understand you in this communication to deny that the government of the police force has become lax?

(No response.)

Mayor Cooper—General Smith, I ask you that question?

(No response.)

Mayor Cooper—General Smith, have you any answer to make to the question?

Commissioner Smith—I have already given my answer in writing.

Mayor Cooper—Have you any other answer to make to my question, whether you admit or deny that "under the Board of Police of which you are a member, the government and discipline of the police force have become lax and incapable—the police force has deteriorated in efficiency and has become demoralized?"

Commissioner Smith—I have already made my answer in writing.

Mayor Cooper—Have you any other answer to make; is there anything else you wish to say upon the question?

(No response.)

Mayor Cooper—If there is anything else you wish to say I will hear it.

Gen. Smith—I desire, Mr. Mayor, to be heard through counsel

Mayor Cooper—I decline to hear you through counsel; have you any further answer to make to my question?

(No response.)

Mayor Cooper—Do I understand you that you have no further answer to make?

Commissioner Smith—I desire, Mr. Mayor, to be heard through counsel; that is all the—

Mayor Cooper—Are you President of the Department, General Smith?

(No response.)

Mayor Cooper—If you refuse to answer the question the stenographer will so note it.

(No response.)

Mayor Cooper—How long have you been a Commissioner of Police?

(No response.)

Mayor Cooper—The second proposition, General Smith, "The Board of Police, of which you are a member, has not caused the streets to be thoroughly cleaned from time to time, and kept thoroughly cleaned, and has not removed from the city daily, and as often as necessary, all ashes, dirt, rubbish, and garbage;" is that true or not true?

Commissioner Smith—You have my answer in writing.

Mayor Cooper—Have you anything further you wish to say upon the subject. I am prepared to hear anything you have to say in the matter. If you will answer the question I will ask you some questions which I think will get us into some matters of more particular specification.

Commissioner Smith—I have nothing to say, sir, except I should like to be heard through counsel.

Mayor Cooper—I decline to hear you through counsel; you have nothing to say in respect to the third paragraph: "You have been neglectful in discharge of the public duties which you were bound to fulfill."

Commissioner Smith—You have my answer in writing, Mr. Mayor.

Mayor Cooper—There is nothing else you wish to say upon that point?

(No response.)

Mayor Cooper—In respect to the fourth paragraph, have you anything to say in respect to that more than you have already stated?

Commissioner Smith—You have my answer in writing.

Mayor Cooper—And similarly in relation to the fifth?

Commissioner Smith—You have my answer in writing.

Mayor Cooper—The Mayor will say that he knows of his own knowledge that the streets have not been cleaned, and he is prepared to state to General Smith certain places and streets that have not been cleaned, and would like to ask if General Smith has anything to say in respect to them? (Producing papers and memoranda). General Smith, are you familiar with the condition of Greenwich street—the condition in which it was from the Battery to Morris street on the 12th of March?

Commissioner Smith—I cannot answer any question, Mr. Mayor, you disallowing the right to appear here by counsel.

Mayor Cooper—Mr. Erhardt, has your paper come yet?

Commissioner Erhardt—Yes, sir (handing paper to the Mayor), that is all the answer I have.

Mayor Cooper—Do you wish to read it yourself?

Commissioner Erhardt—No, sir.

Mayor Cooper—Mr. Morrison, will you please read this communication of Mr. Erhardt's?

Mr. Morrison (reading)—"In the matter of the charges preferred—"

Mayor Cooper—One moment; first, I wish to ask General Smith whether he has anything whatever to say before the matter in his case is closed?

Commissioner Smith—I have to say, Mr. Mayor, that I desire to be heard through counsel, nothing more.

Mayor Cooper—That the Mayor says he will not hear. Do you wish to say anything else?

(No response.)

Mayor Cooper—I understand General Smith does not answer that question; I give him an opportunity now to be heard, if he has anything to say.

Mr. Bartlett—He has something to say through his counsel.

Mayor Cooper—Mr. Bartlett, you must not interrupt the proceedings. I will not hear counsel, and if any one interrupts the proceedings I shall have him put out of the office.

Mr. Bartlett—All right.

Mayor Cooper—I am waiting to hear if he has anything to say in answer to my question.

Mr. Bartlett—He answers it through me.

Mayor Cooper—Mr. Stenographer, unless he answers, enter that he declines—does not answer. The case of General Smith is closed.

Mr. Morrison reads the communication presented by Commissioner Erhardt, as follows:

In the matter of the charges preferred by Hon. Edward Cooper, Mayor of the City of New York, against Joel B. Erhardt, Police Commissioner of the City of New York.

Joel B. Erhardt answers to the charges preferred against him, as Police Commissioner of the City of New York, by the Mayor of the City of New York, bearing date March 14, 1879:

First—That it is true, as alleged in the said charges, "that the government and discipline of the police force have become lax and incapable, the police force has deteriorated in efficiency, and it has become demoralized."

That the Police Department of the City of New York has for its head a board consisting of four persons, known as Police Commissioners of the City of New York, and that the respondent has and has had no authority or power in relation to the government, discipline, efficiency, or morale of the police force, except by virtue of his votes, of the meetings of the Board of Police, and the exercise of such power and authority as have been conferred upon him by the resolutions of the said Board of Police; that as a member of such Board of Police, and in the exercise of all powers and authorities conferred upon him by such Board, this respondent has faithfully and fully performed his duty, and has made every endeavor and used all proper means to prevent the government and discipline of the police force from becoming lax or incapable, and to prevent the said force from deteriorating in efficiency or becoming demoralized, and to secure reform and improvement in these respects; and he denies any statement, inference, or implication to the contrary in the said charges contained.

Second—That the many and varied duties imposed by law upon the Board of Police has required distribution of labor among the members of the Board, and it has therefore always been the custom of the Board of Police, and as the respondent is informed and believes, was the intent of the law in constituting a Board composed of four members, to assign to particular members of the Board, either individually or organized in committees, particular branches of duty to be performed under the general supervision of the Board; that the duties of cleaning the streets and removing the ashes, rubbish, dirt, and garbage from the city has been ever since long prior to this respondent's appointment to office, assigned to a committee of the Board, in the manner and for the reasons aforesaid; that the said committee has been composed, ever since this respondent became a member of the Board of Police, of all the other members of the Board, and this respondent has never been a member thereof until within the past few weeks. That as a member of the said Board of Police, and in the exercise of all the powers conferred upon him by the said Board, in relation to the cleaning of the streets of the city, and the removal of ashes, dirt, rubbish, and garbage, this respondent has faithfully and fully performed his duties, and he denies any statement, inference, or implication to the contrary in the said charges contained.

Third—The respondent further says that the Police Department of the City of New York has for its head a Board consisting of four persons, known as the Police Commissioners of the City of New York; and that the said Commissioners are William F. Smith, De Witt C. Wheeler, Sidney P. Nichols, and Joel B. Erhardt; and that the first two charges contained in the written paper served upon him as a statement of causes for his removal from office, to wit, the charges regarding the government and discipline of the police force, and the charges regarding the cleaning of the streets of the City of New York, and the removal of ashes, dirt, rubbish, and garbage therefrom, are charges against the Board of Police of the City of New York, and that the Mayor has no jurisdiction, power, or authority to remove this respondent from office upon the said charges except in connection with all the other members of the said Board, and upon cause shown against the said Board as a body in a proceeding wherein the said Board as a body has an opportunity to be heard.

Fourth—This respondent denies that he has been negligent in the discharge of any of the public duties which he was bound to fulfill.

Fifth—He denies that he has allowed personal dissensions to preclude the proper exercise of any official trust which he has assumed.

Sixth—He denies that his conduct has been unbecoming his office.

Seventh—He denies that any cause exists warranting his removal from office.

JOEL B. ERHARDT, Police Commissioner.

Mayor Cooper—Mr. Erhardt, I will ask you some questions presently. I propose to ask Mr. Nichols first, if you will wait a little while. Mr. Nichols did you receive my letter of March 14th?

Commissioner Nichols—I did, sir.

Mayor Cooper—I now give you an opportunity to be heard in response to it, if you have anything to say.

Commissioner Nichols—I ask you sir, in my case, whether I can be permitted to be heard by counsel, who are here, Messrs. Vanderpoel and Townsend?

Mayor Cooper—I will not hear counsel; anything you have to say I will hear. I will state here to all the gentlemen that after the proceedings are over—and this applies to Gen. Smith's case as well as any other—if they have any desire to submit any papers, in writing or in print, they can be put in, say within twenty-four hours, or at any time to-morrow.

Mr. Bartlett—Is that intended to be addressed to us as well as—

Mayor Cooper—Not addressed to you; it is addressed to General Smith; he is here.

Mr. Bartlett—I thought you said "the other gentlemen present;" it strikes me it would have been well enough to make that intimation before the officer was ordered to remove two counsel from the room.

Mayor Cooper—Go on, Mr. Nichols.

Commissioner Nichols—Will you permit me to speak through my counsel, Mr. Townsend, without argument?

Mayor Cooper—No.

Commissioner Nichols—If he acts as my agent only, will you permit him?

Mayor Cooper—No; but I will hear what you have to say.

Commissioner Nichols—What I have to state I have reduced to writing, and will read it, unless you will permit Mr. Townsend.

Mayor Cooper—I will not hear counsel read it.

Mr. Nichols—I protest against such action as being an outrage upon my rights in this court (reading):

"To the Honorable EDWARD COOPER, Mayor of the City of New York:

"As one of the Police Commissioners of the City of New York, I appear in response to the communication from you, delivered to me on the 15th inst., citing me to appear before you on the nineteenth day of March, 1879, at twelve o'clock, noon—and in reference to the citation—

"First—I respectfully protest that the Charter of the City secures to me a right to be heard before it is adjudged that there is cause for my removal, and that this right has been violated, in that you, as Mayor, by the terms of the notice served on me, have stated your conclusions, and adjudged that they warrant my removal from office before an opportunity has been accorded me of such hearing as is provided for in the Charter.

"Second—The paper or notice served upon me as containing charges against me, and being the only statement of charges received by me, is general, indefinite, and uncertain. It is impossible to understand from that paper, or notice, what specific acts or omissions are intended thereby. I therefore say there is not given me a sufficient statement of charges, or matters alleged as cause for my removal, nor proper opportunity to hear the proofs, if any there may be, thereon.

"Third—By further responding to said paper or notice, I do not intend to waive, but hereby expressly reserve the right to take and save all exceptions and objections to the uncertainty and insufficiency of said paper or notice as a statement of charges against me, and also to your Honor's want of jurisdiction in the matter, and I only further respond in order that your Honor may be apprised of the fact that I fully deny each and every conclusion therein declared or intimated, and that this may be explicit. I deny that under the Board of Police, of which I am a member, the government and discipline of the police force have become lax and incapable, or that the police force has deteriorated in efficiency, or that it has become demoralized. I deny that the Board has, or that I, as a member thereof, have failed or omitted to do or perform any duty imposed on me or it, by law, in respect to cleaning the streets or removing from the city ashes, dirt, rubbish or garbage. On the other hand, I affirm that at all times since I have been such Commissioner, all the moneys taken from the public treasury or allowed for street cleaning purposes have been properly and faithfully applied to such purposes; and the Board has at all times discharged its whole duty in the premises. I deny that I have been negligent in the discharge of the public duties which I was bound to fulfill. I deny that I have allowed personal dissensions to preclude the proper exercise of the official trust which I assumed. I deny that my conduct has been unbecoming my office. I deny that I have done any act or omitted any duty which would warrant or justify your Honor in removing me from the office of Police Commissioner.

"Respectfully submitted,

"SIDNEY P. NICHOLS.

"New York, March 19, 1879."

Mayor Cooper—Mr. Nichols, as I have been around the city a good deal, I have observed the condition of the streets myself. I am prepared to state to you a good many places in the city where the streets have not been cleaned, as required by statute. Do you wish me to specify them to you—the particular places?

Commissioner Nichols—Are you prepared to be cross-examined?

Mayor Cooper—No, sir. I ask you whether you wish to have specifications of particular streets and places from which the dirt and rubbish has not been removed, as required by statute?

Commissioner Nichols—If the Mayor will furnish to me specifications of the charges he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—You can be heard now, Mr. Nichols, if you like. I wish to ask you whether you are acquainted with the condition of the following streets on March 12th and a week prior?

Commissioner Nichols—I answer, if the Mayor will furnish to me specifications of the charges that he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—I want an answer. Do you know the condition in which Greenwich street, from Murray street to the Battery, was on the 12th of March?

Commissioner Nichols—If the Mayor will furnish to me specifications of the charges he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—Is that the only answer you have to make to my question?

(No response.)

Mayor Cooper—I ask have you any answer to make to my question?

(No response.)

Mayor Cooper—Will you answer my question?

Commissioner Nichols—If the Mayor will furnish to me specifications of the charges that he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—I have many other places that I am prepared to ask you about, for instance, I will ask you whether—merely as an illustration—and if you answer this I shall ask you with respect to a good many others; I will take West Thirty-second street on the same date; are you acquainted with its condition?

Commissioner Nichols—If the Mayor will furnish to me specifications of the charges that he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—You decline to answer my question, I understand you, except as you have stated?

Commissioner Nichols—If the Mayor will furnish to me specifications of the charges that he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—Have you anything else you wish to say in reply to my letter?

Commissioner Nichols—If the Mayor will furnish to me specifications of the charges he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—If Mr. Nichols wishes to answer, I am prepared to ask him questions in regard to the discharge of his duty, which will, I think, be sufficiently specific to give him an opportunity of answering specifically; I can ask you some questions now; Mr. Nichols, in 1877 were you informed by Mr. Erhardt, or by any reports that he caused to be furnished to the Board of Police, or to the Street Cleaning Bureau, that the men that were employed in the Street Cleaning Bureau were idling away their time or inefficient?

(No response.)

Mayor Cooper—Have you any reply to make to my question, Mr. Nichols?

(No response.)

Mayor Cooper—Mr. Nichols, if you are not prepared to answer, you can hand your answer in; I do not wish to wait any longer; you can hand in any answer you wish to make.

Mr. Vanderpoel—It is all ready, I think; Mr. Townsend will look it over first.

(Mr. Vanderpoel hands to Mr. Townsend a paper on which he, Mr. Vanderpoel, has been writing, and, after reading it, Mr. Townsend hands it to Commissioner Nichols.)

Commissioner Nichols—I would ask if that was for Commissioner Erhardt's case or for my own?

Mayor Cooper—It is for your own case.

Commissioner Nichols (reading from the paper last referred to): I am and have at all times been ready and willing to give the Mayor full information upon every subject connected with the Police Department or its operations, but it is not proper for me in a proceeding in which I am denied the right of counsel and have not been furnished with any charges or specifications, to make answers which would seem to recognize in any way the regularity of the proceedings against me.

Mayor Cooper—That is the only answer you have to make to the question?

(No response.)

Mayor Cooper—Mr. Nichols, if you have any information or anything to say in respect to the causes which I have stated here, I am prepared now to go into the matter with you in detail.

Commissioner Nichols—If the Mayor will furnish to me specifications of the charges, if any, he holds against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—That is all you have to say now in reply to any questions that I may put to you; do you decline to give any other answer?

(No response.)

Mayor Cooper—Have you anything else to say?

Commissioner Nichols—I desire to be heard by counsel.

Mayor Cooper—I say now to Mr. Nichols in regard to these charges, especially in regard to the street cleaning—of which he is the Chairman of the Committee which has special charge of it in the Board of Police, as I understand—if he has anything to say at all in respect to either the fact that the streets have not been thoroughly cleaned as required by statute, or anything to say in explanation or excuse of its not being done so, I am prepared to hear it.

Commissioner Nichols—I am, and have at all times been ready and willing to give the Mayor full information upon every subject connected with the Police Department or its operations, but it is improper for me in a proceeding in which I am denied the right of counsel, and have not been furnished with any charges or specifications, to make answers which would seem to recognize in any way the proceedings against me.

Mayor Cooper—Mr. Nichols, do I understand you to admit or deny the fact that the streets have not been thoroughly cleaned from time to time, and kept well cleaned as required by statute? I simply wish to know whether you admit or deny that statement.

Commissioner Nichols—I have set forth an answer to that in the paper which I have handed you; if the Mayor will furnish to me specifications of the charges he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—Is that all the answer you make?

Commissioner Nichols—My answer to that last question is as follows, contained in my letter to you: "I deny that the Board has, or that I, as a member thereof, have failed or omitted to do or perform any duty imposed upon me or it by law, in respect to cleaning the streets, or removing from the city ashes, dirt, rubbish, or garbage. On the other hand, I affirm that at all times since I have been such Commissioner, all the moneys taken from the public treasury, or allowed for street cleaning purposes, have been properly and faithfully applied to such purposes, and the Board has at all times discharged its whole duty in the premises."

Mayor Cooper—I understand you to say, then, that they have been properly cleaned—is that so?

(No response.)

Mayor Cooper—Have you any answer to make to that question?

(No response.)

Mayor Cooper—Have you anything to say, Mr. Nichols?

(No response.)

Mayor Cooper—Does Mr. Nichols mean to answer my question or not?

Commissioner Nichols—If the Mayor will furnish to me specifications of the charges he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—Is that the only answer?

Commissioner Nichols—If the Mayor will furnish to me specifications of the charges he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—Mr. Nichols, I don't wish to misunderstand your answer here, but I do not understand you to take any ground as to the fact whether the streets have been thoroughly cleaned as required by statute or not; I wish a positive answer one way or the other.

Commissioner Nichols—I am and have at all times been ready and willing to give the Mayor full information upon every subject connected with the Police Department or its operations, but it is improper for me, in a proceeding in which I am denied the right of counsel and have not been furnished with any charges or specifications, to make answers which would seem to recognize in any way the proceedings against me.

Mayor Cooper—Mr. Nichols, I know of my own knowledge specific cases to which I will call your attention; if, in respect to them, you desire to make any other answer, I will have it taken down; I understand you decline to give me answers to the cases I present to you now; I will begin again with the memorandum that I have of the places where I have been myself; I will take Greenwich street, and Washington street below Morris street, and Mulberry street, and in regard to them, do you claim that they have been properly cleaned? I do not go over all that I have here; that is merely an illustration; I have very many other instances that I am prepared to state to you.

(Commissioner Nichols here consulted with his counsel.)

Mayor Cooper—I am waiting; is Mr. Nichols preparing to answer?

Commissioner Nichols—If the Mayor will furnish to me specifications of the charges he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—That is the only answer you have to make, I understand?

(No response.)

Mayor Cooper—Mr. Nichols, have you anything that you wish to say further in regard to the matter of street cleaning as a reason why the streets have not been kept clean.

Commissioner Nichols—If the Mayor will furnish to me specifications of the charges he holds, if any, against me, and will allow me reasonable time to reply to the same, I desire to be heard.

Mayor Cooper—If Mr. Nichols desires to submit any views or anything in writing, I will receive it within the next twenty-four hours; he may prepare it or have his counsel prepare it for him, or any other way he pleases; has Mr. Nichols anything more he wishes to say?

Commissioner Nichols (after consultation with his counsel)—A letter from the Hon. Samuel J. Tilden.

"ALBANY, EXECUTIVE CHAMBER, February 17, 1875.

"To the Hon. WILLIAM H. WICKHAM, Mayor:

"Your messenger delivered to me the papers in the removal cases of February 4."

Mayor Cooper—Mr. Nichols, if you have anything to say I will hear it; if you have anything written you may submit it.

Commissioner Nichols—This is in response.

Mayor Cooper—I will not hear anything read. If it is submitted to me in writing or in print I will hear it. Have you anything further you wish to say?

(Commissioner Nichols again commenced to read the letter.)

Mr. Vanderpoel (to Mr. Nichols)—He says he will not hear anything more.

Mayor Cooper—I will hear anything you are pleased to say, or anything in writing or in print you please to submit.

Commissioner Nichols—I desire to read this letter.

Mayor Cooper—Go on; read it through, if you like.

(Commissioner Nichols here consulted with his counsel.)

Commissioner Nichols—Instead of reading this, your Honor, at present, after consultation with my counsel, I accept of your offer for the next twenty-four hours, to submit some papers. I will see what I will do, and submit anything that I have.

Mayor Cooper—You have nothing more that you wish to say now?

(No response.)

Mayor Cooper—I am waiting for an answer.

Commissioner Nichols—Not under the intimation that I have, that I cannot be heard by counsel.

Mayor Cooper—I understand Mr. Nichols has nothing more he wishes to say at present; is that so?

(No response.)

Mayor Cooper—I understand there is nothing more that Mr. Nichols wishes to say; but he may hand in any paper he pleases in the course of the next twenty-four hours. The matter is closed as to Mr. Nichols.

After a short interval, the case of Commissioner Erhardt was taken up.

Mayor Cooper—Mr. Erhardt, I understand from your answer that you admit—

Commissioner Erhardt—I would suggest, Mr. Mayor—not desiring to interrupt—that in the further proceedings in connection with this communication that you allow me to appear by Mr. Root, as counsel, who is now present.

Mayor Cooper—No; I will hear what you have to say yourself.

Commissioner Erhardt—I then renew my request to you for a statement of the specifications of the causes which you deem warrant my removal.

Mayor Cooper—I will take your answer in the first place to those that I have given. First, under the Board of Police, of which you are a member, the government and discipline of the police force has become lax and incapable. Is that true?

Commissioner Erhardt—There certainly cannot be anything more fair than that I should have an answer to my question.

Mayor Cooper—I am asking you a question. Is that true or not true?

Commissioner Erhardt—Yes, sir; but I think it is no more than fair that I should have an answer to mine.

Mayor Cooper—As to whether the police force has deteriorated in efficiency, and has become demoralized?

Commissioner Erhardt—In answer to my request for specifications, do I understand that the Mayor declines to give it or does not give it?

Mayor Cooper—That will be determined hereafter. The Mayor wishes in the first place to get at whether you admit or deny.

Commissioner Erhardt—Then I will ask the stenographer to note on the minutes that in answer to my request the Mayor does not give the specifications.

Mayor Cooper—Of course the stenographer will take down everything that occurs, whatever it may be.

Commissioner Erhardt—I now desire to state, that in interposing my answers I do not waive any objections to your jurisdiction or my objection and exceptions to the insufficiency of the charges, and having stated that, I will say I have nothing further to say in regard to the matter.

Mayor Cooper—Do I understand Mr. Erhardt to decline to answer specifically whether it is true or not true that that the government of the police force has become lax and incapable, and that it has deteriorated in efficiency, and that the police force has become demoralized?

Commissioner Erhardt—The answer that Mr. Morrison read will answer that.

Mayor Cooper—That is all the answer you wish to make?

Commissioner Erhardt—I say it was answered in that way.

Mayor Cooper—In respect to the second proposition, "The Board of Police, of which you are a member, has not caused the streets to be thoroughly cleaned, and has not removed from the city daily, and as often as necessary, all ashes, dirt, rubbish and garbage," is true or untrue?

(Commissioner Erhardt does not answer, but consults with his counsel.)

Mayor Cooper—Mr. Erhardt, you may wait as long as you please, but do you propose to answer?

Commissioner Erhardt—I was in some doubt, because I did not understand whether the question was for further answer to your charges.

Mayor Cooper—I ask for a definite answer, whether it is true or not true; the cause which I state here is a cause of removal; is it true or not true?

Commissioner Erhardt—In what capacity do you ask the question—for further answer to the charges?

Mayor Cooper—I ask you whether it is true or not true; it is for you to say anything that you please; it is a plain question that I put to you; is it true or not true, as I state here?

Commissioner Erhardt—I do not mean to be persistent where the Mayor does not desire to answer the requests I have made.

Mayor Cooper—It is a perfectly simple and plain question, whether the statement contained in my letter—the second paragraph—is the fact or not; I want to know what you have to say in regard to it, whether you admit it or deny it; that is what I wish to know.

(Commissioner Erhardt consults with his counsel, Mr. Root, and Mr. Root writes a statement, which Mr. Erhardt reads, as follows):

Commissioner Erhardt—I came here by your direction to answer the charges contained in your communication of March 14; I have made all the answers I have to make to that communication; if your Honor proposes to call me as a witness to prove the allegations against me, I will answer, and asks me this question as a part of this proof, I am ready upon your signifying that such is the case; if, however, you are asking for a further answer to the charges, I have no further answer to make.

Mayor Cooper—I am asking to know what your position as a Commissioner is in reply to the cause of removal which is stated in the second paragraph; is it true or not true?

Commissioner Erhardt—I have no further answer to make, sir.

Mayor Cooper—In regard to the third paragraph, "you have been negligent in the discharge of the public duties which you were bound to fulfill."

Commissioner Erhardt—No further answer.

Mayor Cooper—Did you, in 1877, cause a number of officers from the police proper to be put in citizens' clothes, and fifty of them sent to watch the men employed in the street cleaning, and see what they did?

Commissioner Erhardt—I have no further answer to make; by saying no further answer I mean I make the same answer.

Mayor Cooper—Did you get reports from those officers?

Commissioner Erhardt—The same answer that I made before, I now make.

Mayor Cooper—Did you do anything to correct the delinquencies which you found in the Street Cleaning Bureau?

Commissioner Erhardt—I make the same answer.

Mayor Cooper—Were the reports which you got sent to the Street Cleaning Committee, and were they there pigeonholed?

Commissioner Erhardt—I make the same answer.

Mayor Cooper—Have you voted upon the bills which were presented to the Board; on looking over the CITY RECORD I find you have not voted upon any bills for a long time; have you voted upon any bills in the Department since June, 1878?

Commissioner Erhardt—I make the same answer.

Mayor Cooper—Have you informed yourself whether bills that come before the Board should be paid or not?

Commissioner Erhardt—I make the same answer.

Mayor Cooper—Have you informed your colleagues concerning bills other than those relating to the steamboat Seneca, that they should not be paid?

Commissioner Erhardt—I make the same answer.

(Commissioner Erhardt states that by "the same answer" he means the answer commencing "I came here by your direction to answer the charges, etc.")

Mayor Cooper—Are you on the Street Cleaning Committee of the Board, Mr. Erhardt?

Commissioner Erhardt—The same answer.

Mayor Cooper—Did you decline to serve on the Street Cleaning Committee?

Commissioner Erhardt—The same answer.

Mayor Cooper—What have you done to correct the abuses which you admit to have existed in the Police Department, or to exist now?

Commissioner Erhardt—I make the same answer, and I think that will close the case, Mr. Cooper.

(Commissioner Erhardt and Mr. Root here rise and take their hats to leave.)

Mayor Cooper—I understand you to make the same answer to any possible question I may ask? (No response.)

Mayor Cooper—There are one or two other questions I would like to ask you.

Commissioner Erhardt—I have finished all I have to say in answer to your communication.

Mayor Cooper—I have some other questions I wish to ask you.

Commissioner Erhardt—I supposed my answer covered every allegation in the communication, and every possible question that you could ask; therefore, I was about taking my leave.

Mayor Cooper—It is very possible that you might have some explanation to offer in respect to some of these causes which I have stated.

Commissioner Erhardt—I have given them in writing.

Mayor Cooper—Do you decline to give anything more?

Commissioner Erhardt—I have nothing more than I have already stated.

Mr. Townsend—May I be permitted to ask whether Mr. Wheeler will be examined this afternoon?

Mayor Cooper—I have no answer to give.

Mr. Townsend—In order that we may not wait here any longer we would like to hear what testimony there is to be.

Mayor Cooper—I don't expect Mr. Wheeler this afternoon. I will state to Mr. Erhardt if he has any papers or views that he wishes to submit, I will receive any written communication he wishes to make within the next twenty-four hours. Anything that the gentleman will submit will go to the Governor if I so decide. It makes a part of the record when I decide.

Commissioner Erhardt—I would ask if the Mayor has any proof to offer?

Mayor Cooper—The Mayor has his own knowledge which he will state to Mr. Erhardt if he wishes him to do so, after Mr. Erhardt has stated whether he denies or admits in answer to such question as I ask him. I am prepared to give him the information.

Commissioner Erhardt—I now ask from you the evidence on which you base your charges.

Mayor Cooper—I ask whether Mr. Erhardt admits or denies the second allegation?

Commissioner Erhardt—I have no further answer.

Mayor Cooper—There is an opportunity for you to be heard. If you deny that it is true, I am prepared to ask further questions.

Commissioner Erhardt—You have my answer in writing. In order that I may make myself understood I protest against any further proceedings on the part of the Mayor against me without the specifications that I have asked for, and the proof.

Mayor Cooper—I am prepared to state to Mr. Erhardt—if he denies the allegations contained here—I am prepared to go on with further questions and state certain specific facts that he can answer?

Commissioner Erhardt—I renew the request and state that you have my answer in writing.

(Commissioner Erhardt and Mr. Root here left the room.)

Mayor Cooper—Mr. Erhardt's case is closed, subject to putting in any papers he likes, the same as the others.

APPROVED PAPERS.

Ordinances, Resolutions, etc., approved by the Mayor during the week ending April 12, 1879.

Resolved, That permission be and is hereby given to Koster & Bial to remove the two lamp-posts and lamps now in front of Nos. 115 and 117 West Twenty-third street, and place them in front of Nos. 108 and 110 West Twenty-fourth street, and to erect two new ornamental lamp-posts and lamps in place of the two posts so to be removed, provided such lamp-posts shall not exceed in dimensions the size prescribed by resolution of the Common Council, that the work be done and gas supplied at the expense of said Koster & Bial, under the direction of the Commissioner of Public Works; the permission hereby given to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, April 1, 1879.

Approved by the Mayor, April 7, 1879.

Resolved, That permission be and the same is hereby given to W. O. Robbins to erect and keep an ornamental lamp-post and lamps in front of premises Nos. 45 and 47 Bowery, provided the said post shall not exceed in dimensions the size prescribed by resolution for posts for ornamental lamps, the gas to be supplied and the work to be done at his own expense; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, April 1, 1879.

Approved by the Mayor, April 7, 1879.

Resolved, That permission be and the same is hereby given to Frederick Kurrus to erect and keep ornamental lamp-post and lamps, not to exceed the dimensions prescribed by law, in front of No. 1541 Broadway, the work to be done and gas supplied at his own expense; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, April 1, 1879.

Approved by the Mayor, April 7, 1879.

Resolved, That a ferry be established from the slip or basin between Pier 61, at the foot of Seventh street, and Pier 62, at the foot of Eighth street, East river, New York, to near the foot of Borden avenue, Long Island City, and the Commissioners of the Sinking Fund are hereby authorized and directed to sell at public auction to the highest responsible bidder or bidders the right to operate the ferry hereby established, on such terms and conditions and subject to such restrictions and regulations as may be prescribed by the said Commissioners.

Adopted by the Board of Aldermen, March 25, 1879.

Approved by the Mayor, April 7, 1879.

Resolved, That permission be and the same is hereby given to Selig Steinhardt to erect two bay-windows on the southwest corner of Eighty-third street and Tenth avenue, as shown on accompanying diagram, the consent of the property holders 50 feet each side being obtained, and attached to this resolution, the work to be done at his own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, April 1, 1879.

Approved by the Mayor, April 7, 1879.

Resolved, That the Department of Docks be and is hereby requested to arrange with the present lessees of the pier foot of Gansevoort street (No. 58, North river), to retain the use thereof, until such time as the said pier shall be required for market purposes, in connection with the market about to be established on the Gansevoort property, which shall be determined by resolution of the Common Council.

Adopted by the Board of Aldermen, March 25, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That permission be and the same is hereby given to T. & M. Donoghue to erect a post and display a horseshoe sign thereon opposite No. 200 West Eighteenth street, said post to be eleven feet high and six inches square, and surmounted by a horseshoe sign which shall not be more than four feet six inches in height and three feet six inches in width, said post to be placed within one foot of the curb-stone, the work to be done at their own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, April 1, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That the Commissioner of Public Works be and he is hereby directed to compel the Dry Dock, East Broadway, and Battery Railroad Company, or other company owning rails in East Broadway, to cause the pavement between their rails in East Broadway and other streets to be repaired and put in good order, fit for public travel, without any unnecessary delay.

Adopted by the Board of Aldermen, March 25, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That John H. Roberts be and he is hereby reappointed a Commissioner of Deeds in and for the City and County of New York.

Adopted by the Board of Aldermen, April 1, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That permission be and the same is hereby given to Daniel S. McElroy & Brother to place and keep a sign and sign-post at the southeasterly corner of Twenty-eighth street and First avenue, said sign to be four feet long by three feet high, and post to be not over twelve feet high, and eight inches in diameter, sign to be placed on corner, ten inches from the curb; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, March 25, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That permission be and the same is hereby given to Mrs. Eliza Barnard to retain stand now used by her in James slip, provided the same shall not be an obstruction to public travel; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, March 25, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That permission be and the same is hereby given to I. I. Weill to place and keep a post and sign on the sidewalk near the curb-stone in front of No. 1419 Third avenue, the post not to exceed six inches in diameter and the sign to be not more than three feet long and one foot six inches high, the work to be done at his own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, March 25, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That permission be and the same is hereby granted to James Gleason to open the street in front of premises 107 Liberty street, for the purpose of laying a pipe in said street; the said permission only to extend for the length of time actually required for the performance of the necessary work.

Adopted by the Board of Aldermen, March 25, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That permission be and the same is hereby given to James Kerswell to place sign on sidewalk (near curb) in front of his place of business No. 911 Sixth avenue, said sign to be triangular shape, and 2 feet wide and 4 feet 6 inches high, the work to be done at his own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, March 25, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That Gerhard Meyer be and he is hereby reappointed a Commissioner of Deeds in and for the City and County of New York.

Adopted by the Board of Aldermen, March 25, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That Morris B. Bronner be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in the place of Montgomery D. Kellogg, who has failed to qualify.

Adopted by the Board of Aldermen, April 1, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That permission be and the same is hereby given to Elsenbach & Meehm to erect and keep barber's pole in front of premises No. 96 Duane street, said pole to be not more than fourteen feet high and eight inches in diameter, and to be erected within one foot of the curb line, the work to be done at their own expense; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, April 1, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resignation of J. A. Cantor as Commissioner of Deeds.

Resolved, That Thomas J. Crombie be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Jacob A. Cantor, resigned.

Resignation accepted and resolution adopted by the Board of Aldermen, April 1, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That permission be and the same is hereby given to Frederick Saling to retain barber pole now located on the southwest corner of Third avenue and Sixty-second street, one foot from the curb, said pole being six inches in diameter and fifteen feet high; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, April 1, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That permission be and the same is hereby given to Peter Duryee & Co. to retain a sign across the walk and attached to the awning in front of their place of business No. 215 Greenwich street, said sign to be 12 feet clear of the sidewalk and 3 feet 1 inch in width; the permission hereby granted to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, April 1, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That the following named persons be and they are hereby appointed as Commissioners of Deeds in and for the City and County of New York, in place, respectively, of the persons whose names appear opposite, whose terms of office have expired:

John J. Lynch.....	in place of William H. Church.
Hermann Schroeter.....	" Samuel Eckstein.
David Porter Lord.....	" George E. Lovelace.
William Comerford.....	" Chas. Macholdt.
Silleck S. Scofield.....	" Ambrose S. Pratt.
M. M. Forrest.....	" John C. Keeler.

Resolved, That Gary J. Moulton be and is hereby reappointed a Commissioner of Deeds in and for the City and County of New York.

Resolved, That Isaac S. Ryan, in place of Michael Doran, who has failed to qualify, and Edward W. Rachau, in place of Frank O'Hara, who has failed to qualify, be and they are hereby appointed as Commissioners of Deeds in and for the City and County of New York.

Approved by the Mayor, March 25, 1879.

Received from his Honor the Mayor, April 7, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That permission be and is hereby given to Valentine Lower to remove the cobble-stone pavement now in the carriage-way in front of Nos. 528, 530, 532, 529, 531, and 533 West Forty-first street, and substitute therefor Belgian or trap-block pavement, the work to be done at his own expense, and to be under the direction of the Commissioner of Public Works.

Adopted by the Board of Aldermen, April 1, 1879.

Approved by the Mayor, April 9, 1879.

Resolved, That permission be and the same is hereby given to James P. Minster to erect and keep a platform scale in One Hundred and Seventeenth street, near the East river, provided the same shall not be an obstruction or impediment to the free use of the said street, the work to be done at his own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, April 1, 1879.

Approved by the Mayor, April 9, 1879.

JACOB M. PATTERSON, JR.,
Clerk Common Council.

RAPID TRANSIT COMMISSION.

Appointment of Commissioners.

MAYOR'S OFFICE,
NEW YORK, April 2, 1879.

It appearing by the application, made to me on the 4th day of March, 1879, by fifty reputable householders and taxpayers of the City and County of New York, in the State of New York, verified upon oath before a Justice of the Supreme Court, that there is need in said city and county of a street railway or railways for the transportation of passengers, mails and freight; and thirty days not having expired since said application, now, in pursuance of the provisions of the act entitled, "An Act further to provide for the construction and operation of a steam railway or railways in counties of the State," passed June 18, 1875, three-fifths being present, I, Edward Cooper, Mayor of the City of New York, do hereby appoint the following five persons, residents of said city and county, to be commissioners under and in pursuance of the provisions of said act, namely: Henry F. Spaulding, Benjamin G. Arnold, Henry G. Stebbins, Lewis G. Morris, Samuel R. Filley.

In witness whereof, I have hereunto signed my name, the 2d day of April, 1879.

EDWARD COOPER, Mayor.

POLICE DEPARTMENT.

The Board of Police met on the 10th day of April, 1879.

Present—Messrs. Smith, Erhardt, and Nichols, Commissioners.

The following communication from the Health Department was ordered to be entered in the minutes:

NEW YORK, April 9, 1879.

S. C. HAWLEY, Esq., Chief Clerk, etc.:

SIR—At a meeting of this Board, held on the 8th instant, the following preamble and resolution were adopted:

Whereas, This Board has received official information from General M. R. Patrick, the agent commissioned by the Honorable the Governor of the State of New York, under and pursuant to the provisions of chapter 134 of the Laws of 1878, entitled "An act in relation to infectious and contagious diseases of animals," that contagious disease prevails among milch cows, and is liable to be extended by the unrestricted movement of such animals from place to place; and

Whereas, This Board has been duly requested, by the said agent, to regulate the introduction into and removal from the City of New York of milch cows and cattle not intended for immediate slaughter, it is hereby ordered, under and pursuant to the authority and powers conferred by law upon this Board, that no milch cows or cattle not intended for immediate slaughter, except such as are driven or conveyed directly to the slaughter houses, shall be driven, conveyed, brought into or removed from the City of New York, without a certificate showing a previous inspection of such animals by General M. R. Patrick, State Agent, and a permit in writing, duly issued by him, authorizing the introduction into or removal from the city limits of such animals therefrom;

Resolved, That the Board of Police be requested to supervise and enforce the requirements of this order.

(A true copy.)

EMMONS CLARK, Secretary.

Whereupon it was

Resolved, That a copy of the communication from the Health Department relative to regulating the introduction into and removal from the City of New York of milch cows and cattle not intended for immediate slaughter, be referred to the Counsel to the Corporation, and his opinion respectfully requested as to the powers and duties of the Board of Police to supervise and enforce the requirements of the resolution of the Board of Health.

An opinion of the Counsel to the Board on petition of Daniel Jackson for return of property was received.

Whereupon it was

Resolved, That the petition be referred to the Counsel to the Corporation for opinion as to whether, under existing laws, the Board of Police has power to return gaming implements.

Resolved, That the further hearing of the complaint against Sergeant David H. Crowley be adjourned until Monday, April 21, 1879, at 11 A. M.

Resolved, That the rule and resolution requiring re-examination by Surgeons be waived in the case of John McDonnell, appointed Patrolman, April 8, 1879.

Street Cleaning.

Resolved, That the pay-rolls of the Bureau of Street Cleaning for the month of March, 1879, amounting to \$57,987.52, as per schedule, be and are hereby ordered to be paid by the Treasurer. Commissioners Smith and Nichols voting aye; Commissioner Erhardt voting no.

Adjourned.

S. C. HAWLEY, Chief Clerk.

METEOROLOGICAL OBSERVATORY

OF THE

DEPARTMENT OF PUBLIC PARKS, CENTRAL PARK, NEW YORK.

Latitude 40° 45' 58" N. Longitude 73° 57' 58" W. Height of Instruments above the Ground, 53 feet; above the Sea, 97 feet.

ABSTRACT OF REGISTERS FROM SELF-RECORDING INSTRUMENTS

For the Week Ending April 5, 1879.

Barometer.

DATE.	MARCH AND APRIL.	7 A. M.		2 P. M.		9 P. M.		Mean for the Day.	MAXIMUM.			MINIMUM.		
		Observed Height.	Reduced to Freezing.	Observed Height.	Reduced to Freezing.	Observed Height.	Reduced to Freezing.		Observed Height.	Reduced to Freezing.	Time.	Observed Height.	Reduced to Freezing.	Time.
Sunday,	30	29.338	29.300	29.358	29.296	29.428	29.387	29.328	29.430	29.400	0 A. M.	29.338	29.300	7 A. M.
Monday,	31	29.318	29.301	29.184	29.159	29.218	29.198	29.219	29.422	29.389	0 A. M.	29.184	29.159	2 P. M.
Tuesday,	1	29.270	29.248	29.336	29.266	29.454	29.397	29.304	29.462	29.413	12 P. M.	29.220	29.200	0 A. M.
Wednesday,	2	29.502	29.472	29.534	29.490	29.626	29.601	29.521	29.626	29.601	9 P. M.	29.462	29.413	0 A. M.
Thursday,	3	29.578	29.550	29.298	29.249	29.430	29.423	29.407	29.622	29.602	1 A. M.	29.268	29.230	3 P. M.
Friday,	4	29.536	29.537	29.582	29.575	29.750	29.751	29.621	29.782	29.775	12 P. M.	29.456	29.452	0 A. M.
Saturday,	5	29.812	29.819	29.878	29.869	29.948	29.944	29.877	29.950	29.951	12 P. M.	29.782	29.789	0 A. M.

Mean for the week..... 29.468 inches.
Maximum " at 12 P. M., April 5..... 29.951 "
Minimum " at 2 P. M., March 31..... 29.159 "
Range "792 "

Thermometers.

DATE.	MARCH AND APRIL.	7 A. M.		2 P. M.		9 P. M.		MEAN.	MAXIMUM.			MINIMUM.			MAX- IMUM.
		Dry Bulb.	Wet Bulb.	Dry Bulb.	Wet Bulb.	Dry Bulb.	Wet Bulb.		Dry Bulb.	Wet Bulb.	Time.	Dry Bulb.	Wet Bulb.	Time.	
Sunday,	30	43	41	52	47	44	40	46.3	42.7	54	4 P. M.	49	4 P. M.	40	3 A. M.
Monday,	31	35	33	38	34	36	32	36.3	33.0	41	0 A. M.	38	0 A. M.	33	7 P. M.
Tuesday,	1	37	31	55	48	50	44	47.3	41.0	57	4 P. M.	50	4 P. M.	36	5 A. M.
Wednesday,	2	40	36	45	39	38	34	41.0	36.3	47	3 P. M.	41	3 P. M.	37	12 P. M.
Thursday,	3	39	34	47	43	31	28	39.0	35.0	51	1 P. M.	45	1 P. M.	30	12 P. M.
Friday,	4	28	25	31	27	28	25	29.0	25.6	32	3 P. M.	28	3 P. M.	26	12 P. M.
Saturday,	5	26	23	32	28	30	27	29.3	26.0	32	2 P. M.	28	2 P. M.	25	5 A. M.

Mean for the week..... 38.3 degrees..... 34.2 degrees.
Maximum for the week, at 4 P. M., 1st..... 57. " at 4 P. M., 1st..... 50. "
Minimum " " at 5 A. M., 5th..... 25. " at 5 A. M., 5th..... 23. "
Range " " 32. " 27. "

Wind.

DATE.	MARCH AND APRIL.	DIRECTION.			VELOCITY IN MILES.			Distance for the Day.	FORCE IN POUNDS PER SQUARE FOOT.				
		7 A. M.	2 P. M.	9 P. M.	7 A. M.	2 P. M.	9 P. M.		7 A. M.	2 P. M.	9 P. M.	Max.	Time.
Sunday,	30....	WSW	W	NW	17	47	77	141	½	½	2	2½	4.20 P. M.
Monday,	31....	NNW	WNW	W	118	127	160	405	4	7	12½	22	11 P. M.
Tuesday,	1....	W	W	WSW	236	149	106	491	6½	14	¾	18	2.15 P. M.
Wednesday,	2....	W	WSW	W	50	105	87	242	1½	5	2¾	6¾	8.15 A. M.
Thursday,	3....	S	SW	W	57	33	122	212	1½	1½	6¾	17½	5.30 P. M.
Friday,	4....	W	WNW	WNW	143	110	91	344	4½	4½	¾	13½	0.20 A. M.
Saturday,	5....	W	WNW	WNW	83	65	71	219	½	½	1	2½	1.30 P. M.

Distance traveled during the week..... 2,054 miles.
Maximum force " " 22 pounds.

DATE.	MARCH AND APRIL.	Hygrometer.						Clouds.			Rain and Snow.					
		FORCE OF VAPOR.			RELATIVE HUMIDITY.			CLEAR, O. OVERCAST, 10.			DEPTH OF RAIN AND SNOW IN INCHES.					
		7 A. M.	2 P. M.	9 P. M.	7 A. M.	2 P. M.	9 P. M.	7 A. M.	2 P. M.	9 P. M.	Time of Beginning.	Time of Ending.	Duration. H. M.	Amount of Water.	Depth of Snow.	
Sunday,	30	.231	.257	.195	83	66	68	8 Cu.	8 Cu.	5 Cu.	0 A. M.	4.30 A. M.	4.30	.16	..	
Monday,	31	.162	.144	.129	80	63	61	9 Cu.	8 Cu.	7 Cir. Cu.	.....	.....	.....	..	..
Tuesday,	1	.071	.243	.208	48	56	58	0	0	0	.....	.....	.....	..	..
Wednesday,	2	.160	.160	.144	64	53	63	2 Cu.	6 Cu.	0	.....	.....	.....	..	..
Thursday,	3	.131	.225	.119	55	70	68	7 Cir. Cu.	10	3 Cir.	1.50 P. M.	3 P. M.	1.10	.02	..	
Friday,	4	.100	.101	.100	65	58	65	9 Cu.	8 Cu.	7 Cu.	.....	.....	.....	..	..
Saturday,	5	.089	.108	.113	63	59	68	7 Cu.	8 Cu.	4 Cu.	.....	.....	.....	..	..

Total amount of water for the week..... .18 inch.

DANIEL DRAPER, Director.

EXECUTIVE DEPARTMENT.

MAYOR'S OFFICE, CITY HALL,
NEW YORK, April 12, 1879.

Licenses granted and amount received for
licenses and fines by Marshal John Tyler Kelly,
for week ending April 12, 1879:

Number of Licenses..... 198
Amount..... \$348 50

JOHN TYLER KELLY,
First Marshal.

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; together with the heads of Departments
and Courts.

EXECUTIVE DEPARTMENT.

Mayor's Office.

No. 6 City Hall, 9 A. M. to 3 P. M.
EDWARD COOPER, Mayor; JAMES E. MORRISON,
Secretary

Mayor's Marshal's Office.

No. 7 City Hall, 10 A. M. to 3 P. M.
JOHN TYLER KELLY, First Marshal.

Permit and License Bureau Office.

No. 1 City Hall, 10 A. M. to 3 P. M.
DANIEL S. HART, Registrar.

LEGISLATIVE DEPARTMENT

Office of Clerk of Common Council.

No. 8 City Hall, 10 A. M. to 4 P. M.
JORDAN L. MOTT, President, Board of Aldermen.
JACOB M. PATTERSON, Jr., Clerk Common Council.

DEPARTMENT OF PUBLIC WORKS

Commissioner's Office.

No. 19 City Hall, 9 A. M. to 4 P. M.
ALLAN CAMPBELL, Commissioner; FREDERICK H. HAM-
LIN, Deputy Commissioner.

Bureau of Water Register.

No. 10 City Hall, 9 A. M. to 4 P. M.
JOHN H. CHAMBERS, Register.

Bureau of Incumbrances.

No. 11 City Hall, 9 A. M. to 4 P. M.
JOSEPH BLUMENTHAL, Superintendent.

Bureau of Lamps and Gas.

No. 21 City Hall, 9 A. M. to 4 P. M.
STEPHEN MCCORMICK, Superintendent.

Bureau of Streets.

No. 19 City Hall, 9 A. M. to 4 P. M.
JAMES J. MOONEY, Superintendent.

Bureau of Sewers.

No. 21 City Hall, 9 A. M. to 4 P. M.
STEVENSON TOWLE, Engineer-in-Charge.

Bureau of Chief Engineer.

No. 11½ City Hall, 9 A. M. to 4 P. M.
GEORGE A. JEREMIAH, Superintendent.

Bureau of Repairs and Supplies.

No. 18 City Hall, 9 A. M. to 4 P. M.
THOMAS KEECH, Superintendent.

Bureau of Water Purveyor.

No. 4 City Hall, 9 A. M. to 4 P. M.
DANIEL O'REILLY, Water Purveyor.

Keeper of Buildings in City Hall Park.

JOHN F. SLOPER, City Hall.

FINANCE DEPARTMENT.

Comptroller's Office.

Nos. 19 and 20 New County Court-house, 9 A. M. to 4 P. M.
JOHN KELLY, Comptroller; RICHARD A. STORRS,
Deputy Comptroller.

Auditing Bureau.

No. 19 New County Court-house, 9 A. M. to 4 P. M.
DANIEL JACKSON, Auditor of Accounts.

Bureau of Arrears.

No. 5 New County Court-house, 9 A. M. to 4 P. M.
ARTEMAS CADDY, Clerk of Arrears.

Bureau for the Collection of Assessments.

No. 16 New County Court-house, 9 A. M. to 4 P. M.
EDWARD GILON, Collector.

Bureau of City Revenue.

No. 6 New County Court-house, 9 A. M. to 4 P. M.
EDWARD F. FITZPATRICK, Collector of City Revenue.

Bureau of Markets.

No. 6 New County Court-house, 9 A. M. to 4 P. M.
JOSHUA M. VARIAN, Superintendent of Markets.

Bureau for the Collection of Taxes.

First floor, Brown-stone building, City Hall Park.
MARTIN T. MCMAHON, Receiver of Taxes; ALFRED
VREDENBURG, Deputy Receiver of Taxes.

Bureau of the City Chamberlain.

No. 18 New County Court-house, 9 A. M. to 4 P. M.
J. NELSON TAPPAN, City Chamberlain.

LAW DEPARTMENT.

Office of the Counsel to the Corporation.

Staats Zeitung Building, third floor, 9 A. M. to 4 P. M.
WILLIAM C. WHITNEY, Counsel to the Corporation
ANDREW T. CAMPBELL, Chief Clerk.

Office of the Public Administrator.

No. 49 Beekman street, 9 A. M. to 4 P. M.
ALGERNON S. SULLIVAN, Public Administrator.

Office of the Corporation Attorney.

No. 49 Beekman street, 9 A. M. to 4 P. M.
WILLIAM A. BOYD, Corporation Attorney.

Attorney to Department of Buildings Office.

Corner Cortland and Church streets.
JOHN A. FOLEY, Attorney.

POLICE DEPARTMENT.

Central Office.

No. 300 Mulberry street, 9 A. M. to 4 P. M.
WILLIAM F. SMITH, President; SETH C. HAWLEY,
Chief Clerk.

DEPARTMENT OF CHARITIES AND CORREC-
TION.

Central Office.

Third avenue, corner Eleventh street, 9 A. M. to 4 P. M.
TOWNSEND COX, President; JOSHUA PHILLIPS, Secre-
tary.

FIRE DEPARTMENT.

Headquarters.

Nos. 153, 155, and 157 Mercer street, 9 A. M. to 4 P. M.
VINCENT C. KING, President; CARL JUSSEN, Secretary.

HEALTH DEPARTMENT.

No. 301 Mott street, 9 A. M. to 4 P. M.
CHARLES F. CHANDLER, President; EMMONS CLARK,
Secretary.

DEPARTMENT OF PUBLIC PARKS.

No. 36 Union square, 9 A. M. to 4 P. M.
JAMES F. WENMAN, President; EDWARD P. BARKER,
Secretary.

Civil and Topographical Office.

Arsenal, 64th street and 5th avenue, 9 A. M. to 5 P. M.
Office of Superintendent of 23d and 24th Wards.
Fordham, 9 A. M. to 5 P. M.

DEPARTMENT OF DOCKS.

Nos. 117 and 119 Duane street, 9 A. M. to 4 P. M.
EUGENE T. LYNCH, Secretary.

DEPARTMENT OF TAXES AND ASSESSMENTS.
Brown-stone building, City Hall Park, 9 A. M. to
JOHN WHEELER, President; ALBERT STORER, Secre-
tary.

BOARD OF ASSESSORS.

Office, No. 114 White street, 9 A. M. to 4 P. M.
THOMAS B. ASTEN, President; WM. H. JASPER,
Secretary.

DEPARTMENT OF BUILDINGS.

No. 2 Fourth avenue, 8:30 A. M. to 4 P. M.
HENRY J. DUDLEY, Superintendent.

BOARD OF EXCISE.

Corner Mulberry and Houston streets, 9 A. M. to 4 P. M.
RICHARD J. MORRISON, President; J. B. ADAMSON,
Chief Clerk.

SEALERS OF WEIGHTS AND MEASURES

No. 236 West Forty-third street.
ELIJAH W. ROE.

SHERIFF'S OFFICE.

Nos. 3 and 4 New County Court-house, 9 A. M. to 4 P. M.
BERNARD REILLY, Sheriff; JOHN T. CUMMING, Under
Sheriff.

COMMISSIONER FOR THE COMPLETION OF THE
NEW COUNTY COURT-HOUSE.

No. 28 New County Court-house, 9 A. M. to 5 P. M.
WYLLIS BLACKSTONE, President; ISAAC EVANS, Secre-
tary.

REGISTER'S OFFICE.

East side City Hall Park, 9 A. M. to 4 P. M.
FREDERICK W. LOEW, Register; AUGUSTUS T.
DOCHARTY, Deputy Register.

COMMISSIONERS OF ACCOUNTS.

No. 27 Chambers street, 9 A. M. to 4 P. M.
WM. PITT SHEARMAN, ROBERT F. HATFIELD.

COMMISSIONER OF JURORS.

No. 17 New County Court-house, 9 A. M. to 4 P. M.
THOMAS DUNLAP, Commissioner; ALFRED J. KEEGAN,
Deputy Commissioner.

COUNTY CLERK'S OFFICE.

Nos. 7 and 8 New County Court-house, 9 A. M. to 4 P. M.
HUBERT O. THOMPSON, County Clerk; J. HENRY
FORD, Deputy County Clerk.

DISTRICT ATTORNEY'S OFFICE.

Second floor, Brown-stone building, City Hall Park,
9 A. M. to 4 P. M.

BENJAMIN K. PHELPS, District Attorney; MOSES P.
CLARK, Chief Clerk.

THE CITY RECORD OFFICE.

And Bureau of Printing, Stationery, and Blank Books.
No. 2 City Hall, 8 A. M. to 6 P. M.; Saturdays, 8 A. M.
to 5 P. M.

THOMAS COSTIGAN, Supervisor; R. P. H. ABELL, Book-
keeper.

CORONERS' OFFICE.

No. 40 East Houston street.
HENRY WOLTMAN, MORITZ ELLINGER, RICHARD
CROKER, and RICHARD FLANAGAN, Coroners.

SUPREME COURT.

Second floor, New County Court-house, 10½ A. M. to 3 P. M.
General Term, Room No. 9.

Special Term, Room No. 10.
Chambers, Room No. 11.
Circuit, Part I, Room No. 12.
Circuit, Part II, Room No. 13.
Circuit, Part III, Room No. 14.

Judges' Private Chambers, Room No. 15.
NOAH DAVIS, Chief Justice; HUBERT O. THOMPSON,
Clerk.

CORPORATION NOTICE.

NOTICE IS HEREBY GIVEN THAT THE FOL-
lowing Assessments Lists have been received by the
Board of Assessors from the Commissioner of Public
Works.

No. 1.—Sewer in Eleventh avenue, between
Sixty-sixth and Seventy-sixth streets,
with branches in Sixty-seventh,
Sixty-eighth, Sixty-ninth, Seventy-
first, Seventy-second, and Seventy-
third streets, with connections of pre-
sent sewer in Seventieth street..... \$65,427 45

No. 2.—Paving Sixty-eighth street and Fourth
avenue (the intersection of)..... 956 21

\$66,383 66

WM. H. JASPER,
Secretary.

OFFICE BOARD OF ASSESSORS,
No. 114 WHITE STREET (CORNER CENTRE),
NEW YORK, April 3, 1879.

DEPARTMENT OF TAXES AND
ASSESSMENTS

DEPARTMENT OF TAXES AND ASSESSMENTS,
No. 32 CHAMBERS STREET,
NEW YORK, January 9, 1879.

NOTICE IS HEREBY GIVEN THAT THE BOOKS
of Annual Record of the assessed valuation of Real
and Personal Estate of the City and County of New York
for the year 1879, will be opened for inspection and revision,
on and after Monday, January 13, 1879, and will remain
open until the 30th day of April, 1879, inclusive, for the
correction of errors and the equalization of the assessments
of the aforesaid real and personal estate.

All persons believing themselves aggrieved must make
application to the Commissioners during the period above
mentioned, in order to obtain the relief provided by law.

By order of the Board.
ALBERT STORER,
Secretary

POLICE DEPARTMENT.

POLICE DEPARTMENT CITY OF NEW YORK,
PROPERTY CLERK'S OFFICE,
No. 300 MULBERRY STREET, ROOM 39,
NEW YORK, March 15, 1879.

OWNERS WANTED BY THE PROPERTY
Clerk of the Police Department, City of New York,
300 Mulberry street, Room 39, for the following property
now in his custody without claimants: Ladies' wrappers,
revolvers, male and female clothing, axle grease, silver
watch, tub butter, small amount of money found and
taken from prisoners.

C. A. ST. JOHN,
Property Clerk.

POLICE DEPARTMENT OF THE CITY OF NEW YORK,
300 MULBERRY STREET,
NEW YORK, March 14, 1879.

PUBLIC NOTICE IS HEREBY GIVEN TO FARM-
ers and others who may desire street dirt, that they
can procure the same from the Bureau of Street Cleaning,
without cost, by making application to Captain John
Gunner, Inspector of the Bureau, at the Central Depart-
ment building, No. 300 Mulberry street.

The material can be loaded in carts upon the streets
be designated by the Inspector, or will be delivered in
scoops or other water craft at the several dumping bays
By Order of the Board,

S. C. HAWLEY,
Chief Clerk

THE CITY RECORD.

COPIES OF THE CITY RECORD CAN BE
obtained at No. 2 City Hall (northwest corner
basement). Price three cents each.

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 enroll-
ment notice," requiring them to appear before me this
year. Whether liable or not, such notices must be an-
swered (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, sumner
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 mis-
dememeanor 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 re-
lation to a jury service, or to withhold any paper or make
any false statement, and every case will be fully prose-
cuted.

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

DEPARTMENT OF PUBLIC PARKS.

DEPARTMENT OF PUBLIC PARKS,
36 UNION SQUARE,
NEW YORK, April 10, 1879.

PROPOSALS FOR LIGHTING THE PUBLIC
LAMPS.

PROPOSALS IN SEALED ENVELOPES WILL
be received at the office of the above-named Depart-
ment, No. 36 Union square, New York, until Wednesday,
the 23d day of April, 1879, at the hour of half-past nine
o'clock A. M., when they will be publicly opened by the
head of said Department and read, for furnishing illumi-
nating material to and lighting, etc., all or any portion of
the public lamps on the public parks, places, and bridges
of the City of New York (except the ornamental lamps on
the north side of Union square) under the control of the
Department of Public Parks, from the first day of May,
1879, until the thirty-first day of December, 1879, both
days inclusive.

Each proposal must state the description or kind of
illuminating material proposed to be used, and also a
price for the illuminating material for each lamp, which
price shall also include the lighting, cleaning, and relaying
the same, and replacing the cocks, tubes, stand-pipes,
burners, and other appliances which may be used for a
live purpose, and cross-heads, lamp-irons, and lanterns
thereto, and keeping each lamp and lamp-post in repair in
the manner mentioned in the specifications during the
period above mentioned.

The said Department reserves the right to determine,
after the proposals are opened, what illuminating material
shall be used in said public lamps during the period, and
will award the contract to the lowest bidder whose propo-
sal is made in accordance with the law and ordinances in
such case, and who proposes to furnish the illuminating
material so determined to be used.

No proposal will be considered unless accompanied by
the consent, in writing, of two responsible householders or
freeholders of the City of New York, with their respective
places of business or residence, to the effect that if the con-
tract be awarded to the person or persons making the bid
or proposal they will, on its being so awarded, become
bound as his or their sureties in the penal sum of ten
thousand dollars for its faithful performance, and that if
he or they shall omit or refuse to execute the same they
will pay to the Corporation any difference between the
sum to which he or they would be entitled upon its com-
pletion and that which the Corporation may be obliged
to pay to the person 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 said sum of
ten thousand dollars over and above all his debts of every
nature, and over and above his liabilities as bail, surety
and otherwise, that he has offered himself as a surety in
good faith, and with an intention to execute the bond re-
quired by section 27, article 2, chapter 8 of Revised Ordi-
nances of the City of New York, if the contract shall be
awarded to the person or persons for whom he consents to
become surety.

Each proposal must state the name and place of resi-
dence of the person making the same: the names of all
persons interested with him therein, and if no other per-
son be so interested it shall distinctly state the fact; also
that it is made without any connection with any other
person making any estimate for the same supplies and
work; and that it is in all respects fair, and without col-
lusion 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 Corpora-
tion, 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.

The Department reserves the right to reject any or all
proposals.

Forms of proposals may be obtained, and the terms of
the contract (including the specifications), settled as re-
quired by law, seen at the office of the Secretary, at the
above address.

Proposals must be addressed to the President of the De-
partment of Public Parks, and indorsed "Proposals for
Lighting Public Parks and Places," and shall also be in-
dorsed with the name or names of the person or persons
presenting the same and the date of presentation.

JAMES F. WENMAN, President,
WM. C. WETMORE,
SAMUEL CONOVER,
SMITH E. LANE,
Commissioners D. P. P.

E. P. BARKER,
Secretary.

DEPARTMENT OF PUBLIC PARKS,
36 UNION SQUARE,
NEW YORK, April 10, 1879.

POLICE UNIFORMS.

PROPOSALS, IN SEALED ENVELOPES, WILL
be received at the office of the Department of Public
Parks, No. 36 Union Square, New York City, until Wed-
nesday, the 23d day of April, 1879, at the hour of half
past nine o'clock A. M., when they will be publicly opened
by the head of the said Department and read.

For making, furnishing and delivering uniforms for the
Police Force of said Department.

The work to be executed in accordance with the terms
of the contract and specifications prepared by said Depart-
ment, therefor and be similar to the samples on exhibition
at the office of said Department.

The number and kind of uniforms required is as fol-
lows:

Six (6) uniform body coats for Captain and Sergeant.

One (1) double breasted blouse for Sergeant.

Six (6) pairs of summer wear pants, for Captain and
Sergeants.

Ninety-two (92) uniform body coats for Patrolmen and
Gate-keepers.

Ninety-two (92) pairs of summer wear pants for Patrol
men and Gate-keepers.

The time allowed for the completion of the work will
be thirty days (30) after the date of the contract.

The amount of security required is \$1,000.

Each proposal must state, both in figures and in writing,
a price for each article of uniform, and must be accom-
panied by two samples of the cloth proposed to be
furnished.

Bidders are required to state in their proposals their sev-
eral names and places of residence, the names of all persons
interested with him or them therein; and if no other person
be so interested, they shall distinctly state that fact; and
also that the bid is made without any connection with any
other person making any estimate for the same purpose,
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 in said proposal or esti-
mate, or in the work or supplies 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 or parties
making the estimate, that the several matters stated there-
in 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 or estimate 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 making the estimate, they will, on its being so
awarded, become bound as his sureties for its faithful
performance; and that, if he shall omit or refuse to
execute the same, they will pay to the Corporation any
difference between the sum to which he would be entitled
on its completion, and that which the Corporation may be
obliged to pay to the person or persons to whom the con-
tract 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 re-
quired for the completion of this 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 in-
tention to execute the bond required by section 27 of
chapter 8 of the Revised Ordinances of the City of New
York, if the contract shall be awarded to the person or
persons for whom he consents to become surety. The
adequacy and sufficiency of the security offered to be
approved by the Comptroller of the City of New York.

The Department reserves the right to reject any or all
proposals, if deemed for the interest of the

LEGISLATIVE DEPARTMENT.

THE COMMITTEE ON RAILROADS WILL meet on Thursday, April 17, at 2 o'clock P. M.

ROBERT HALL,
JOHN W. JACOBUS,
WILLIAM R. ROBERTS

J. M. PATTERSON, Jr.,
Clerk.

THE COMMITTEE ON LAW DEPARTMENT of the Board of Aldermen will meet every Monday in the City Library, Room No. 12 City Hall, at 1 o'clock P. M.

By Order of the Committee,
J. GRAHAM HYATT,
Chairman.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
No. 66 THIRD AVENUE,
NEW YORK, April 11, 1879.

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 Charity Hospital, Blackwell's Island—James Moloney; aged 47 years; 5 feet 8 inches high; sandy hair; blue eyes. Had on when admitted black coat, vest and pants, colored shirt, black felt hat, gaiters. Nothing known of his friends or relatives.

By Order,
JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
No. 66 THIRD AVENUE,
NEW YORK, April 10, 1879.

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 Homeopathic Hospital, Ward's Island—Bridget McGuire; aged 70 years; 5 feet 6 inches high; blue eyes; gray hair. Nothing known of his friends or relatives.

By Order,
JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
No. 66 THIRD AVENUE,
NEW YORK, April 8, 1879.

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 Homeopathic Hospital, Ward's Island—Robert Hilliard; aged 25 years; 5 feet 7 inches high; brown hair; blue eyes. Had on when admitted, gray coat and vest, dark pants, laced shoes. Nothing known of his friends or relatives.

At Hart's Island Hospital—James Corcoran; aged 75 years. Had on when admitted, black coat, gray pants, dark vest, white shirt. Nothing known of his friends or relatives.

By Order,
JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
No. 66 THIRD AVENUE,
NEW YORK, April 4, 1879.

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 Tenth Precinct Station-house—Unknown man, aged about 50 years; 5 feet 7 inches high; gray hair and moustache; blue eyes. Had on black frock coat, black vest, brown striped pants, white shirt, striped stockings, gaiters, black felt hat.

Unknown man from Pier 45, East river; aged about 35 years; 5 feet 6 inches high; brown hair. Had on black cloth pants, blue flannel shirt, white knit undershirt and drawers, gaiters. (Supposed to be one of the crew of ship "Glen Eagle," drowned on New Year's Eve).

By Order,
JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
No. 66 THIRD AVENUE,
NEW YORK, April 3, 1879.

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 Charity Hospital, Blackwell's Island—Nicholas Welsh; aged 50 years; 6 feet high; gray hair; dark brown eyes. Had on when admitted blue coat and vest, gray pants, white cotton shirt, gaiters. Nothing known of his friends or relatives.

At Workhouse, Blackwell's Island—Annie Smith; aged 34 years. Committed March 29, 1879. Nothing known of her friends or relatives.

By Order,
JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
No. 66 THIRD AVENUE,
NEW YORK, April 5, 1879.

PROPOSALS FOR DRY GOODS, GROCERIES, BRICK, 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 Friday, April 18, 1879, 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—

DRY GOODS.
2,000 yards Calico Prints.
100 great gross Suspender Buttons.
100 great gross Bone Buttons.
10 gross Pearl Shirt Buttons.

GROCERIES, ETC.
500 pounds Ground Mustard.
200 pounds Baking Powder.
250 barrels Onions.
1,000 barrels Potatoes.

BRICK.
100,000 Hard North River Brick.

The quality of the goods furnished must conform in every respect to the samples of the above to be seen at this office, and bidders must examine specifications for particulars of goods required before making their proposals.

All proposals must be made on blanks furnished by the Department.

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.

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

FIRE DEPARTMENT.

HEADQUARTERS
FIRE DEPARTMENT, CITY OF NEW YORK,
155 and 157 MERCER STREET,
NEW YORK, November 7, 1878.

NOTICE IS HEREBY GIVEN THAT THE Board of Commissioners of this Department will meet daily at 10 o'clock A. M., for the transaction of business.

By order of the Board,
VINCENT C. KING, President,
JOSEPH L. PERLEY,
JOHN J. GORMAN, Treasurer,
CARL JUSSEN, Secretary, Commissioners.

FINANCE DEPARTMENT.

DEPARTMENT OF FINANCE,
BUREAU FOR COLLECTION OF ASSESSMENTS,
FIRST FLOOR (NEW WING), NEW COUNTY HOUSE,
CITY HALL PARK,
NEW YORK, April 12, 1879.

NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED MARCH 28, ENTERED APRIL 12, 1879.
One Hundred and Twenty-seventh street opening, from the northeastern line of Lawrence street, parallel with One Hundred and Twenty-sixth street, to the westerly side of a road or avenue, closed by chapter 290, section 10, Laws of 1871.

All payments made on the above assessment on or before June 11, 1879, 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 entry.

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.

WILLIAM KENNELLY, Auctioneer.

PURSUANT TO ADJOURNMENT, THE LEASE of the following described property, belonging to the Corporation of the City of New York, will be sold by the Commissioners of the Sinking Fund, at PUBLIC AUCTION, at the New County Court House, on THURSDAY, APRIL 17, 1879, at 12 o'clock, noon, for the term of Two YEARS, from May 1, 1879.

GOUVERNUR MARKET.—Market building (not occupied for stands) and cellar.

TERMS OF SALE.

Twenty per cent. on the yearly rent bid for each parcel to be paid to the Collector of City Revenue at the time and place of sale; and the successful bidder will be required, at the same time, to have an obligation executed by two sureties, to be approved by the Comptroller, for carrying into effect the terms of the sale.

Twenty per cent., when paid, will be credited on the first quarter's rent; or forfeited, if the lessee does not execute the lease and bond within fifteen days after the sale; and the Comptroller shall be authorized, at his option, to resell the premises sold off by those failing to comply with the terms as above; and the party so failing to comply to be liable for any deficiency that may result from such resale.

No person will be received as lessee or surety who is delinquent on any former lease from the Corporation. No bid will be accepted from any person who is in arrears to the Corporation upon debt or contract, or who is a defaulter, as security or otherwise, upon any obligation to the Corporation. (Sec. 99 of Charter of 1873.)

The leases will contain the usual covenants and conditions, reserving to the Corporation the right to cancel the lease whenever the premises may be required by them for public purposes.

All repairs will be made at the expense of the lessees, and no deduction whatever will be allowed for damage by reason of any sickness or epidemic that may prevail in the city during the continuance of the lease.

The lessees will be required to give a bond for double the amount of the annual rent, with two sureties, to be approved by the Comptroller, conditioned for the payment of the rent quarter-yearly, and the fulfillment on their part of the covenants of the lease.

COMPTROLLER'S OFFICE,
NEW COUNTY COURT-HOUSE,
NEW YORK, April 10, 1879.

JOHN KELLY,
Comptroller.

INTEREST ON CITY STOCKS.

THE INTEREST ON THE BONDS AND STOCKS of the City and County of New York, due May 1, 1879, will be paid on that day by the Comptroller, at his office in the New County House.

The transfer books will be closed from March 28 to May 1, 1879.

JOHN KELLY,
Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT,
COMPTROLLER'S OFFICE,
March 20, 1879.

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 1877, prepared under the direction of the Commissioners of Records.

Grants, grantees suits in equity, insolvents' and Sheriffs' sales, in 61 volumes, full bound, price, \$200 00
The same, in 25 volumes, half bound, price, 50 00
Complete sets, folded, ready for binding, price, 15 00
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

WILLIAM KENNELLY & HUGH N. CAMP,
Auctioneers.

CORPORATION SALE OF REAL ESTATE.

PUBLIC NOTICE IS HEREBY GIVEN THAT BY virtue of the powers vested in the Commissioners of the Sinking Fund of the City of New York, they will offer for sale, at public auction, on Thursday, April 24, 1879, at noon, at the Exchange salesroom, No. 111 Broadway, in the City of New York, the following real estate belonging to the Corporation of the City of New York, viz.:

No. 1146 Broadway.
No. 18 Renwick street.
No. 128 West Broadway.
No. 202 West 31st street.
No. 504 Grand street.
No. 128 East 50th street.
No. 352 West 35th street.
No. 61 Chatham street.
No. 81 Chatham street.
No. 83 Chatham street.
No. 89 Chatham street.
No. 91 Chatham street.
No. 93 Chatham street.
No. 458 East Houston street.
No. 160 Wooster street.
No. 53 Spring street.
No. 61 Thompson street.
Stables, Tompkins and Mangin streets.
No. 442 West 33d street.
Lots Nos. 13, 14, 15, Harlem market property, south side 121st street, near Third avenue.

Old school-house, Fordham, Avenue C and 2d street, subject to lease to December, 1879.

East side 14th avenue, between Bloomfield and Little West 12th streets, lots Nos. 61 to 72.

West side 3d avenue, between 66th and 67th streets, lots Nos. 1 to 8. Nos. 4 to 8 subject to lease to May 1, 1880.

West side 3d avenue, between 67th and 68th streets, lots Nos. 1 to 7.

South side 68th street, between 3d and Lexington avenues, lots Nos. 10 to 16.

East side Lexington avenue, between 67th and 68th streets, lots Nos. 22 to 25.

North side 67th street, between Lexington and 3d avenues, lots Nos. 26 to 33.

Lithographic maps of the above real estate may be obtained at the Comptroller's office at the New County Court-house, on and after April 15, 1879.

Full warranty deeds will be given to all purchasers.

COMPTROLLER'S OFFICE,
NEW COUNTY COURT-HOUSE,
March 24, 1879.

JOHN KELLY,
Comptroller.

DEPARTMENT OF FINANCE,
BUREAU FOR COLLECTION OF ASSESSMENTS,
No. 16 NEW COUNTY-HOUSE, CITY HALL PARK,
NEW YORK, February 27, 1879.

NOTICE TO PROPERTY-HOLDERS.

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

CONFIRMED AND ENTERED FEBRUARY 24, 1879.

65th street, paving, from 1st to 3d avenue.

75th street, paving, from 4th to Madison avenue.

84th street, paving, from Boulevard to Riverside drive.

Goerck street, sewer, from Houston to 3d street.

10th avenue, sewer, between 116th and Manhattan streets.

57th street, flagging, (north side), between Lexington and 3d avenues.

85th street, fencing, between 1st avenue and Avenue A and southwest corner of 86th street.

74th street, fencing, between 4th and Madison avenues.

All payments made on the above assessments on or before April 28, 1879, 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 entry.

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 PUBLIC WORKS.

DEPARTMENT OF PUBLIC WORKS,
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,
NEW YORK, April 9, 1879.

PROPOSALS FOR ONE FLOATING SWIMMING BATH.

PROPOSALS ENCLOSED IN A SEALED ENVELOPE, with the title of the work and the name of the bidder endorsed thereon, will be received at this office until Monday, April 21, 1879, at 12 o'clock, M., at which hour they will be publicly opened and read.

FOR FURNISHING MATERIALS AND LABOR FOR BUILDING ONE FLOATING SWIMMING BATH.

Plans and blank forms of proposals, the specifications and agreements, the proper envelope in which to enclose the bids, and any further information desired can be obtained, on application at the office of the Superintendent of Repairs and Supplies, Room 18, 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, April 4, 1879.

PUBLIC NOTICE IS HEREBY GIVEN THAT A petition of the property owners, with a map and plan for changing the grade of Forty-second street, between First and Second avenues, is now pending before the Common Council.

All persons interested in the above change of grade, and having objections thereto, are requested to present the same in writing to the undersigned, at his office, on or before April 16, 1879.

The map showing the present and proposed grades can be seen at the Bureau of Street Improvements, Room 11, City Hall.

ALLAN CAMPBELL,
Commissioner of Public Works.

NOTICE OF SALE AT PUBLIC AUCTION ON Wednesday, April 16, 1879, at 11 o'clock, A. M. The Department of Public Works will sell at public auction, under the direction of the Superintendent of Incumbrances, by PETER BOWE, Esq., Auctioneer, on the premises, so much of the brick and frame building, situated on Twelfth avenue, between One Hundred and Thirtieth and One Hundred and Thirty-first streets, as stands within the lines of said avenue.

TERMS OF SALE.

The purchaser must remove the building entirely out of the line of the avenue, on or before Monday, April 28, 1879, otherwise he will forfeit the same, together with all moneys paid therefor.

The purchase money to be paid in bankable funds at the time and place of sale, or the building to be resold.

ALLAN CAMPBELL,
Commissioner of Public Works.

SUPREME COURT.

In the matter of the application of the Department of Public Works, for and on behalf of the Mayor, Aldermen and Commonalty of the City of New York, relative to the opening of Eighty-second street, from First avenue to the East river, in the City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to the owner or owners, occupant or occupants, of all houses and lots, and improved and unimproved lands, affected thereby, and to all others whom it may concern, to wit:

First.—That we have completed our estimate and assessment, and that all persons interested in these proceedings, or in any of the lands affected thereby, and who may be opposed to the same, do present their objections in writing, duly verified, to Menzo Diefendorf, Esq., our Chairman, at the office of the Commissioners, No. 206 Broadway, Room 72, in the said city, on or before the second day of May, 1879; and that we, the said Commissioners, will hear parties so objecting within ten week days next after the said second day of May, 1879, and for that purpose will be in attendance at our office on each of said ten days, at three o'clock in the afternoon.

Second.—That the abstract of the said estimate and assessment, together with our maps, and also all the affidavits, estimates, and other documents which were used by us in making our report, have been deposited in the office of the Department of Public Works, in the City of New York, there to remain until the nineteenth day of May, 1879.

Third.—That the limits embraced by the assessment aforesaid, are as follows, to wit: All those lots, pieces or parcels of land situate, lying and being in the City of New York, and bounded and described as follows: Beginning at a point on the easterly side of First avenue, distant one hundred and two feet two inches northerly from the northerly side of Eighty-second street; thence easterly and parallel with Eighty-second street to the East river; thence southerly along the said East river to a point distant one hundred and four feet two inches southerly from the southerly side of Eighty-second street; thence westerly and parallel with Eighty-second street to the easterly side of First avenue; thence northerly along the easterly side of First avenue to the point or place of beginning.

Fourth.—That our report herein will be presented to the Supreme Court of the State of New York, at a Special Term thereof, to be held in the New County House, in the City of New York, on the tenth day of June, 1879, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, March 26, 1879.

MENZO DIEFENDORF,
GEO. H. SWORDS,
THOS. L. FEITNER,
Commissioners.

HEALTH DEPARTMENT.

HEALTH DEPARTMENT,
No. 301 MOTT STREET,
NEW YORK, March 7, 1879.

AT A MEETING OF THE BOARD OF HEALTH of the Health Department of the City of New York, held at its office on the 4th day of March, 1879, the following resolution was adopted:

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

Section 202. Any cattle, meat, birds, fowl, fish, fruits, or vegetables, found by any inspector or officer of this Department in a condition which is, in his opinion, unwholesome or unfit for use as human food, shall, upon the order of the Sanitary Superintendent, be removed from any market, street, or public place, and the owner or person in charge thereof, when so directed by the said inspector or by such order of the Sanitary Superintendent, shall remove, or cause the same to be removed, to the place designated by the Sanitary Superintendent, or to the official dock, and shall not sell, or offer to sell, or dispose of the same, for human food. And when, in the opinion of the Sanitary Superintendent, any such meat, fish, fruits, or vegetables shall be unfit for human food, or any such animal, cattle, sheep, swine, or fowls, by reason of disease, or exposure to contagious disease, shall be unfit for human food, and improper or unfit to remain near other animals or to be kept alive, the Board of Health may direct the same to be destroyed, as dangerous to life and health, and may order any such animals, sheep, swine, or fowls, to be removed by any inspector, police officer, officer, or agent of this Department, and to be killed and taken to the official dock.

Section 203. That hereafter no person shall gather, collect, accumulate, store, expose, carry, or transport in any manner through the streets and public places of this city, or in or to any tenement-house, cellar, or house in said city, any bones, refuse, or offensive material, without a special permit in writing from the Board of Health, in accordance with the conditions and subject to the limitations thereof, and in such manner as not to cause offensive odors or any nuisance whatsoever.

[L. S.] CHARLES F. CHANDLER,
President.

EMMONS CLARK, Secretary.

NEW COUNTY COURT-HOUSE COMMISSION.

NEW COUNTY COURT-HOUSE, ROOM 28,
NEW YORK, March 31, 1879.

PROPOSALS FOR ELEVATOR.

SEALED PROPOSALS FOR ERECTING AN ELEVATOR in the New County Court-house, will be received by the Commissioners for the Completion of the New County Court-house, at the above address, until Monday, April 14, 1879, at 12 o'clock, noon, when the same will be publicly opened and read.

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

Each proposal must 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 sureties, in the sum of twenty-five hundred dollars, 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 Commissioners reserve the right to reject any or all proposals if, in their judgment, the same may be for the interest of the city.

The sealed envelope, containing the estimate or proposal, will be indorsed with the name or names of the person or persons presenting the same, the date of its presentation, and also the words "Proposal for Elevator."

Forms of proposals may be obtained, and the plans, specifications, and terms of contract, as approved by the Counsel to the Corporation, may be seen at the office of the Architect, Mr. Leopold Eidlitz, 128 Broadway.

WYLLIS BLACKSTONE,
JOHN P. CUMMING,
THOMAS B. TAPPEN,
FRANCIS BLESSING,
Commissioners for the completion of the New County Court-house.