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LEGISLATIVE DEPARTMENT.

BOARD OF ALDERMEN.

STATED SESSION.

TUESDAY, April 17, 1877, }
2 o'clock P. M. }

The Board met in their chamber, No. 16 City Hall.

PRESENT:

Hon. Henry D. Purroy, President;

ALDERMEN

William L. Cole,
Rufus B. Cowing,
John De Vries,
Ferdinand Ehrhart,
John W. Guntzer,
George Hall,
Henry E. Howland,

William Joyce,
Patrick Keenan,
William Lamb,
Samuel A. Lewis,
John J. Morris,
Lewis J. Phillips,
Joseph C. Pinckney,

Bryan Reilly,
William Salmon,
William Sauer,
Thomas Sheils,
Stephen N. Simonson,
James J. Slevin,
Michael Tuomey.

The President being absent at roll call, on motion of Alderman Pinckney, Alderman Lewis was appointed President pro tem.

The minutes of the last meeting were read and approved.

MOTIONS AND RESOLUTIONS.

Alderman Tuomey moved that when this Board adjourns, it do so to meet on Thursday, the 19th inst., at 2 o'clock P. M.

The President pro tem. put the question whether the Board would agree with said motion. Which was decided in the affirmative.

By Alderman Guntzer—

AN ORDINANCE to amend chapter 38 of the Revised Ordinances of 1866, entitled "Of Express Wagons."

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

Licenses to Owners.

Section 1. The Mayor of the city shall, from time to time, license and appoint so many and such persons, as he may think proper, to set up and keep one or more express wagons in said city, and he may revoke or suspend any or all such licenses at his pleasure; but it shall not be lawful for any person to receive or hold a license to keep such express wagons unless he is the actual owner of the wagon or wagons and of a good horse or horses therefor, nor unless he be a citizen of the United States, a resident of the State of New York, and having an office in the City of New York, under the penalty no less than \$3 and not exceeding \$10; and the Mayor may examine, under oath, all persons applying for or holding any such license, or the renewal thereof, touching their qualifications as aforesaid; and all licenses other than to persons so qualified shall be void.

License to Express Corporations.

Sec. 2. The Mayor of the city shall, from time to time, also grant license to joint stock companies, either with or without incorporation, for the purpose of carrying on the express business in this city, provided that the president, director, or superintendent of such company, or express corporations, shall reside in the State of New York, and be a citizen of the United States, and that such express companies or corporations shall have an office in the City of New York.

License Fee.

Sec. 3. The Mayor shall require and receive for the use of the city from every person, companies, or corporations to whom he may grant license to keep such express wagon or wagons, the sum of five dollars for every wagon so licensed, and two dollars and fifty cents for the license of each wagon renewed.

Expiration of Licenses.

Sec. 4. All licenses granted by virtue of this chapter shall expire on the 31st day of October after the date thereof.

Surety.

Sec. 5. Every person, company, or corporations so licensed shall at the time of receiving such license, enter with one sufficient surety into a joint and several recognizance to the Mayor, Aldermen, and Commonalty of the City of New York, in the penalty of two hundred dollars for each and every wagon so licensed, conditioned for the due observance of all such ordinances of the Common Council as may be in force or passed respecting express wagons, owners, or drivers at any time during the continuance of such license.

Names of Owners to be Printed on Wagons.

Sec. 6. Every such express wagon shall have fairly painted on the outside thereof, in a conspicuous place on each side, so as to be easily seen, in plain letters and figures, of at least two and a half inches in length, the name of the owner or owners, the place of business in said city, and the number of the license for such wagon; and such owner or owners shall be responsible for all articles intrusted to such wagon, or to the driver thereof, and for the conduct of such driver while in charge of or with such wagon.

Drivers' License.

Sec. 7. No person shall drive such express wagons unless he be twenty-one years of age, and have obtained license from the Mayor for such purpose, under the penalty of no less than one dollar, and no more than five dollars for every such offense, to be recovered from the owner or owners of such express wagon, and from such driver, both or either; and shall pay the sum of one dollar for such license, and fifty cents for the renewal of the same.

Badges of Express Owners or Drivers.

Sec. 8. Express owners or express drivers licensed as aforesaid shall, while actually soliciting for employment, wear, in a conspicuous place about his person, so as to be easily seen, a brass plate or badge, on which shall be engraved the words "Licensed Express Owner," or "Licensed Express Driver," and the number of his license; and the Mayor of the city shall determine the form and material of said badge.

Soliciting Employment.

Sec. 9. It shall be lawful for owners or drivers of express wagons to solicit of strangers, travelers, citizens, or other persons at any steamboat landing, railroad station, or depot, conveyance of baggage or other articles from any such steamboat landing, railroad station, or depot, provided that said owners or drivers conform with section 8 of this ordinance.

Permits.

Sec. 10. The Mayor of the city shall have full power and authority to grant permits to drive to capable young men between the age of eighteen and twenty-one years, when it is satisfactorily shown to him that such applicant is the sole or chief support of aged or indigent parents or other relations, or the son of the owner, whose express wagon he applies for permit to drive; such permit to be for no more than one year.

Express Fees.

Sec. 11. The prices or rates to be taken or charged for the transportation of luggage, furniture, or other articles shall be as follows, to wit:

For conveying a parcel or any other article less than 25 pounds to any point south of Forty-second street. 20 cents
For conveying a parcel or any other article less than 25 pounds to any point north of Forty-second street. 30 "
For conveying a parcel or any other article of 26 pounds and under 100 pounds to any point north of Forty-second street. 50 "
For conveying a parcel or any other article of 26 pounds and under 100 pounds to any point south of Forty-second street. 40 "

Household furniture, loose, per load. \$1 50
When the distance does not exceed a mile and one-third, more shall be added for every additional mile and in same proportion for any greater distance.

For loading and unloading, and housing furniture in the removal of families, extra per load. . . \$1 25
Removal of pianos not included in the above rates.

Sec. 12. If any express owner or express driver shall ask, demand, receive, take, exact or extort any greater rate, price, pay or compensation for the carrying or conveyance of any article than is herein provided, he shall not be entitled to any pay for said service, and shall be also subject to a fine no less than \$1.00, and not exceeding \$10.00.

Sec. 13. All ordinances or parts of ordinances inconsistent or conflicting with the provisions of this ordinance, are hereby repealed.

Sec. 14. This ordinance shall take effect immediately.

Which was referred to the Committee on Law Department.

By Alderman Tuomey—

Resolved, That Henry Steinert be and he is hereby appointed Commissioner of Deeds in and for the City and County of New York.

Which was referred to the Committee on Law Department.

By Alderman Keenan—

Resolved, That iron lamp-posts be erected, and lamps lighted with illuminating gas, under the direction of the Commissioner of Public Works; said lamp-posts to be placed not more than one hundred and fifty feet apart, on Mott avenue, on the easterly and westerly side thereof, from a point on said avenue where lamp-posts are now placed to the iron bridge crossing the New York Central Railroad on said avenue.

Which was referred to the Committee on Public Works.

By Alderman Sheils—

Resolved, That Daniel P. Hays be and he is hereby appointed a Commissioner of Deeds in and for City and County of New York, in place of Daniel P. Hays, whose term of office expires the 1st of May, 1877.

Which was referred to the Committee on Law Department.

By the same—

AN ORDINANCE to amend chapter V, article III, section 22, of the Revised Ordinances of 1866, relating particularly to the office of the Corporation Attorney.

The Mayor, Aldermen, and Commonalty of the City of New York do ordain as follows:

Section 1. Section 22 of article III of chapter V of the Revised Ordinances of 1866 is hereby amended by adding thereto the following: Every action commenced, as provided in this ordinance, shall be sued and tried only in the District Court of the district in which the defendant shall reside or do business, and in no other, except upon an appeal taken from the decision of any Judge of any such District Court, so that such section, when so amended, shall read as follows:

§ 22. He shall institute an action in any of the cases mentioned in section 20 of this chapter, when instructed to do so by the Common Council, or the chief officer of any department or bureau, or upon the complaint of any other person, when, in his judgment, the public interest requires that the same shall be prosecuted. Every action commenced, as provided in this ordinance, shall be sued and tried only in the District Court of the district in which the defendant shall reside or do business, and in no other, except upon an appeal taken from the decision of any Judge of any such District Court.

Sec. 2. All ordinances or parts of ordinances inconsistent or conflicting with the provisions of this ordinance are hereby repealed.

Sec. 3. This ordinance shall take effect immediately.

Which was referred to the Committee on Law Department.

By the same—

Resolved, That hereafter, before the commencement of any action for violation of any of the ordinances of the city by the Corporation Attorney, except the ordinances relating to the removal of snow and ice from the sidewalks, the said Corporation Attorney shall give notice in writing or printed, or partly written and printed, at least ten days before entering complaint to every such delinquent to remove such cause of complaint, and if obedience is given to such notice and the cause of complaint removed on or before the expiration of said ten days, then and in that case no complaint shall be made for such violation so removed or remedied; but nothing herein contained shall require more than one notice to be given to the same person or persons for violation of any one Corporation Ordinance or parts thereof. Said notice shall have printed across its face, in large and conspicuous letters, the following words: "If the violation of the Corporation in this notice referred to be discontinued within ten days, no action will be commenced by the Corporation Attorney."

Which was referred to the Committee on Law Department.

By Alderman Reilly—

Resolved, That the Commissioners of Police be and they are hereby required to furnish to this Board, at its next regular meeting, a statement showing, in detail:

1. The name, occupation, and compensation of every person employed in, or connected directly with, the work of cleaning the streets of this city, from the first day of November, 1876, until the first day of April, 1877.

2. A detailed statement of all expenses incurred in said work other than the amount paid for salary or wages.

3. A statement of the receipts and expenses connected with the work of street cleaning during the same period.

The President pro tem. put the question whether the Board would agree with said resolution.

Which was decided in the affirmative.

By the same—

Resolved, That permission be and the same is hereby given to Patrick McGowan to keep a stand for the sale of oysters on the southwest corner of Pell street and the Bowery for a few hours in the evening; such permission to continue only during the pleasure of the Common Council.

The President pro tem. put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote, on a division called by Alderman

Cowing:

Affirmative—The President, Aldermen Cole, De Vries, Ehrhart, Guntzer, Hall, Joyce, Keenan, Lamb, Lewis, Morris, Phillips, Reilly, Salmon, Sauer, Sheils, and Tuomey—17.

Negative—Aldermen Cowing, Pinckney, and Simonson—3.

By Alderman Keenan—

Resolved, That permission be and the same is hereby given to Stepheno Cassassa to keep a stand for the sale of fruit on the northwest corner Sixth avenue and Fourteenth street, he having obtained the consent of the owner of the premises, provided that no rent be paid for the privilege, 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.

Alderman Pinckney moved to amend by inserting "provided no rent be paid to the owner or occupant of the premises for the privilege."

Which was accepted by Alderman Keenan.

The President pro tem. put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote, on a division called by Alderman

Cowing, viz.:

Affirmative—The President, Aldermen Cole, De Vries, Ehrhart, Guntzer, Hall, Joyce, Keenan, Lamb, Lewis, Morris, Phillips, Pinckney, Reilly, Salmon, Sauer, Sheils, and Tuomey—18.

Negative—Aldermen Cowing and Simonson—2.

By Alderman Sauer—

Resolved, That Andrew Dowd be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York.

Which was referred to the Committee on Law Department.

