

THE CITY RECORD.

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NEW YORK, MONDAY, MAY 19, 1879.

NUMBER 1,808.



APPROVED PAPERS.

Ordinances, resolutions, etc., approved by the Mayor during the Week ending May 17, 1879.

Resolved, That permission be and the same is hereby given to Thomas D. Reilly to erect and keep a stand for the sale of fruit, etc., on the north side of Twenty-third street, 125 feet east of Avenue A, said stand to be erected on a piece of land now unoccupied, and not to be any incumbrance or obstruction to the free uses of the sidewalk, 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 22, 1879.

Received from his Honor the Mayor, April 29, 1879, with his objections thereto.

In Board of Aldermen, May 13, 1879, taken up and considered, as provided in section 13, chapter 335, Laws of 1873, and adopted, notwithstanding the objections of his Honor the Mayor, three-fourths of all the members elected voting in favor thereof.

Resolved, That permission be and is hereby given to H. A. Loeson to place and keep a sign across the sidewalk in front of his premises No. 53 Park street, said sign to be ten feet long and twenty inches wide; 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 22, 1879.

Received from his Honor the Mayor, April 29, 1879, with his objections thereto.

In Board of Aldermen, May 13, 1879, taken up and considered, as provided in section 13, chapter 335, Laws of 1873, and adopted, notwithstanding the objections of his Honor the Mayor, three-fourths of all the members elected voting in favor thereof.

Resolved, That permission be and the same is hereby given to James F. Malcolm to regulate, grade and set curb and gutter stones in front of his premises, on northeast corner of Seventy-sixth street and Lexington avenue; the work to be done at his own expense, under the direction of the Commissioner of Public Works.

Adopted by the Board of Aldermen, May 2, 1879.

Received from his Honor the Mayor, May 13, 1879, without his approval or objections thereto; therefore, as provided in section 11, chapter 335, Laws of 1873, the same became adopted.

Resolved, That Enoch Vreeland 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, May 2, 1879.

Received from his Honor the Mayor, May 13, 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 Bruno Huspar to retain sign exhibited within stoop-line in front of premises No. 458 Pearl street; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, May 2, 1879.

Received from his Honor the Mayor, May 13, 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 Henry Herman to place and keep a bridge over the gutter in front of his place of business, No. 195 Chrystie 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, May 2, 1879.

Received from his Honor the Mayor, May 13, 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 Cornelius Vanderbilt to construct bay-windows and oriels on the house about to be erected by him on the northwest corner of Fifth avenue and West Fifty-seventh street, as shown on and according to the accompanying diagram thereof, signed by George B. Post, Esq., architect, 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, May 13, 1879.

Approved by the Mayor, May 15, 1879.

Resolved, That permission be and the same is hereby given to Cornelius Vanderbilt to construct bay-windows on the house about to be erected by him on the northwest corner of East Fifty-seventh street and Madison avenue, as shown on and according to the accompanying diagram thereof, signed by George B. Post, Esq., architect, 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, May 13, 1879.

Approved by the Mayor, May 15, 1879.

Resolved, That permission be and the same is hereby given to the Union League Club to erect a fence in the carriage-way of Thirty-ninth street, five feet outside the line of the curb, commencing at the corner of Fifth avenue, and extending the entire length of their property in Thirty-ninth street, in order to protect the excavation necessary for the construction of a vault under the sidewalk in front of the new building of the club, now in course of erection, 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, May 13, 1879.

Approved by the Mayor, May 15, 1879.

Resolved, That Croton water-mains be laid in Avenue A, between Fifty-eighth and Fifty-ninth streets, as provided in chapter 477, Laws of 1875.

Adopted by the Board of Aldermen, May 6, 1879.

Approved by the Mayor, May 16, 1879.

Resolved, That Croton water-mains be laid in River View Terrace, from Fifty-eighth to Fifty-ninth street, and in Fifty-ninth street, from Avenue A to River View Terrace, as provided in chapter 477, Laws of 1875.

Adopted by the Board of Aldermen, May 6, 1879.

Approved by the Mayor, May 16, 1879.

Resolved, That permission be and the same is hereby given to Thomas Duke to place and keep a watering-trough in front of his premises on the northeast corner of One Hundred and Eighty-fifth street and Broadway, the work to be done and water supplied 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, May 6, 1879.

Approved by the Mayor, May 16, 1879.

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

HEALTH DEPARTMENT.

HEALTH DEPARTMENT,
NEW YORK, May 13, 1879.

The Board of Health met this day.

Reports Received.

From the Sanitary Superintendent: On operations of the Sanitary Bureau; on work performed by Disinfecting Corps; on application for permits; on slaughter houses; weekly report from Riverside Hospital; on contagious diseases; on condition of certain streets; on application for relief from certain orders; on street pavements; on the nuisance caused by the New York Elevated Railroad on Third avenue and One Hundred and Twenty-fifth to One Hundred and Twenty-eighth street.

From the Attorney and Counsel: Weekly report.

From the Register of Records: Weekly mortality statement; weekly letter on mortality; weekly abstracts of marriages, births, and still-births; weekly report of deaths from contagious diseases; on attendance of clerks; on violation of the Sanitary Code.

From the Sanitary Architect: Reports on Tenement House Plans.

Communications from other Departments.

From the Department of Finance: Comptroller's Weekly Report.

Communications Received.

A petition, signed by F. H. Parker and E. O. Lamson and others, in respect to sanitary condition of buildings occupied by the New York Produce Exchange, was received and referred to the Sanitary Superintendent.

Applications for relief from notice to improve premises at southeast corner One Hundred and Twenty-seventh street and Madison avenue and premises 115, 117, 119, and 121 East One Hundred and Eighteenth street, were received and referred to the Sanitary Superintendent.

A communication from the National Board of Health, enclosing Circulars Nos. 1, 2, and 3, and requesting copies in duplicate of all statistical mortality and other reports which may be published, was received and referred to the Sanitary Committee.

Permits Granted.

To manufacture fertilizers at Forty-first street and North river.

To drive twelve cows from Walton avenue, near One Hundred and Forty-sixth street, to corner Mott avenue and One Hundred and Fiftieth street.

To drive two cows from Worth avenue and One Hundred and Seventy-fifth street to Prospect avenue, near Morris street.

To drive two cows from Prospect avenue, near Jacob street, to west side Thomas avenue, near Welsh street.

To drive two cows from One Hundred and Twenty-seventh street and Eighth avenue to One Hundred and Twenty-ninth and One Hundred and Thirtieth streets, Seventh avenue.

To drive one cow from west side Franklin avenue, near One Hundred and Sixty-eighth street, to Union avenue and One Hundred and Sixty-ninth street.

To drive ten cows from Retreat avenue, near One Hundred and Forty-ninth street, to east side St. Ann's avenue, between One Hundred and Forty-first and One Hundred and Forty-third streets.

To drive two cows from Fourth avenue and One Hundred and Twenty-ninth street to Tenth avenue and One Hundred and Twenty-eighth street.

To drive ten cows from One Hundred and Thirty-sixth street and College avenue to corner of St. Ann's avenue and Southern Boulevard.

To drive one cow from west side Third avenue, third house north of One Hundred and Sixty-seventh street, to corner Railroad avenue and One Hundred and Sixty-sixth street.

To drive one cow from southwest corner Boston avenue and One Hundred and Sixty-seventh street to southeast corner Boston avenue and One Hundred and Sixty-seventh street.

To drive three cows from One Hundred and Twenty-fourth street, between Sixth and Seventh avenues, to One Hundred and Twenty-fourth street, between Fifth and Sixth avenues.

To drive one cow and one calf from One Hundred and Forty-second street, near Boulevard, to Bloomingdale road, between One Hundred and Forty-first and One Hundred and Forty-third streets.

To drive fifty cows from Two Hundred and Twenty-second street and Broadway to Two Hundred and Sixth street and Broadway.

To drive seven cows from Bergen avenue and One Hundred and Fifty-first street to corner Southern Boulevard and One Hundred and Forty-ninth street.

To drive five cows from south side One Hundred and Thirty-eighth street, between Third and Fourth avenues, to north side One Hundred and Thirty-eighth street, between Third and Fourth avenues.

To drive eighteen cows from north side One Hundred and Fiftieth street, near Brook avenue, to Southern Boulevard and One Hundred and Forty-ninth street.

To drive nine cows from north side One Hundred and Sixty-eighth street, west of Union avenue, to east side Boston avenue and Southern Boulevard.

To drive one cow from west side Franklin avenue and One Hundred and Sixty-ninth street to east side Union avenue, opposite One Hundred and Sixty-ninth street.

To drive three cows from Robbins avenue and One Hundred and Fifty-first street to south side One Hundred and Fifty-second street, near Robbins avenue.

To drive two cows from 516 West Fifty-sixth street to Sixty-second and Sixty-third streets, Tenth and Eleventh avenues.

To drive five cows from southwest corner Sixth avenue and One Hundred and Twenty-fifth street to north side One Hundred and Twenty-fifth street, between Sixth and Seventh avenues.

To drive nine cows from west side Union avenue and One Hundred and Sixty-seventh street to west side One Hundred and Sixty-seventh street, west of Southern Boulevard.

To drive eight cows from One Hundred and Fiftieth street and Courtland avenue to Mott avenue and One Hundred and Fifty-fourth street.

To drive five cows from corner Brown place and One Hundred and Thirty-fourth street to St. Ann's avenue and Southern Boulevard.

To drive one cow from south side One Hundred and Sixty-seventh street and Franklin avenue on east side Boston avenue and One Hundred and Sixty-seventh street.

To drive four cows from north side One Hundred and Forty-sixth street and St. Ann's avenue to east side St. Ann's avenue, between One Hundred and Forty-third and One Hundred and Forty-seventh streets.

To drive ten cows from north side One Hundred and Fifty-second street and Third avenue to east side St. Ann's avenue, between One Hundred and Forty-first and One Hundred and Forty-third streets.

Bills Audited.

Table listing bills audited with names like James J. Coogan and amounts in dollars and cents.

Resolutions.

Resolved, That copies of the reports of Sanitary Inspectors upon the condition of certain street pavements, etc., be forwarded to the Department of Public Works, for the necessary action, as follows:

One Hundred and Sixty-fifth street, west of Tenth avenue. Fire hydrant in front of No. 141 West Forty-ninth street. No receiving-basin at junction Hague and Cliff streets.

Whereas, Certain parties are engaged in the business of slaughtering sheep, calves, and cattle on Fortieth and Forty-first streets, between Tenth and Eleventh avenues, without a permit, and in violation of the Sanitary Code;

Resolved, That the Sanitary Superintendent be and is hereby directed to cause all such parties to be promptly notified to discontinue such business at the places where it is now conducted, and to cause the arrest of all persons found so engaged in such business in said streets on and after the 15th day of June, 1879.

Resolved, That a copy of the report of Sanitary Inspector Comfort, upon the nuisance caused in Third avenue, between One Hundred and Twenty-fifth and One Hundred and Twenty-eighth streets, by the coal dust, ashes, and gas from the engines of the New York Elevated Railroad, be forwarded to the General Superintendent of said company, and that said company be required to discontinue the use of the public street above named for the purposes referred to in said report as detrimental to the public health, and that for such purposes the said company be required to provide proper depots and accommodations elsewhere than in the public streets.

Resolved, That the Register of Records be and is hereby authorized and directed to register the following birth certificates:

Henry Henn, born February 21, 1879. Female child of Maggie B. Grant, born March 3, 1879. Mary Farley, born March 2, 1879.

Annie Gilmore, born February 28, 1879. Resolved, That the Register of Records be and is hereby authorized and directed to make the following corrections in the register of deaths:

Insert time, from attack to death, of Frank Serime, who died March 15, 1873, four years. Wm. J. King, who died September 4, 1876; place of burial, Cypress Hills, instead of City Cemetery, and undertaker J. H. Munn instead of G. Kellock, the same being clerical errors.

Resolved, That the form of contract and specifications for building a reception hospital for contagious diseases at the foot of East Sixteenth street be and is hereby approved.

Resolved, That the following applications, made under section 15, chapter 908, Laws of 1867, for the approval by this Board of plans for light and ventilation of tenement houses proposed to be built, be and are hereby granted:

Plan No. 121. Northeast corner Christopher and Washington streets, Levi A. Lockwood, owner. 122. Southeast corner Grand and Mott streets, E. Richardson, owner.

Sanitary Bureau.

The following is a record of the work performed in the Sanitary Bureau, for the week ending May 10, 1879:

The total number of inspections made by the Sanitary and Assistant Sanitary Inspectors was 1,859, as follows, viz.: 1 public building, 883 tenement houses, 167 private dwellings, 105 other dwellings, 7 manufactories and workshops, 21 stores and warehouses, 55 stables, 1 market, 16 slaughter houses, 13 fat rendering establishments, 1 fertilizing works, 1 gut-cleaning establishment, 1 lime kiln, 23 manure dumps, 1 garbage dump, 75 sunken and vacant lots, 3 lodging houses, 15 piggeries, 1 public sewer, 1 tunnel, 1 soap factory, 52 yards, courts and areas, 48 cellars and basements, 83 waste pipes and drains, 161 privies and water closets, 26 streets, gutters and sinks, 9 dangerous stairways, 1 smoky chimney, 5 cess-pools, 22 other nuisances; together with 66 visits of the Sanitary Inspectors to cases of contagious disease.

The number of reports thereon received from the Inspectors was 642. During the past week 157 complaints were received from citizens and referred to the Sanitary and Assistant Sanitary Inspectors for investigation and report.

Permits were issued to the consignees of 75 vessels to discharge cargoes, on vouchers from the Health Officer of the Port; 170 permits were granted scavengers to empty, clean, and disinfect privy sinks.

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

Four cases of small-pox, and one case of scarlet fever were removed to hospital by the Ambulance Corps.

The following is a comparative statement of cases of contagious disease, reported at this Bureau for the two weeks ending May 10, 1879:

Table comparing cases of contagious diseases (Typhus, Typhoid, Scarlet, Cerebro-Spinal, Measles, Diphtheria, Small-pox) for two weeks ending May 10, 1879.

Bureau of Vital Statistics.

The certificates of 410 births, 33 still-births, 182 marriages, and 509 deaths, reported to have taken place in this city, were received by this bureau during the week ending Saturday, May 10, 1879. This shows an increase of 51 births, and a decrease of 8 still-births, 18 marriages and 34 deaths, when compared with the number received during the preceding week, but when compared with the corresponding week of the year 1878, there was a decrease of 38 births, 11 still-births, and 10 marriages, and an increase of 54 deaths.

Compared with the mortality reported during the preceding week the deaths from measles decreased 2; scarlatina, 10; typhoid fever, 1; puerperal diseases, 3; diarrhoeal diseases, 2; rheumatism and gout, 4; cancer, 2; phthisis pulmonalis, 18; bronchitis, 6; hydrocephalus and tubercular meningitis, 5; convulsions, 4; enteritis, gastritis and peritonitis, 2; Bright's disease and nephritis, 8; while the deaths from croup increased 3; whooping cough, 7; cerebro-spinal fever, 2; malarial fevers, 5; inanition, 1; pneumonia, 7; heart diseases, 3; aneurism, 1; marasmus, tabes mesenterica and scrofula, 3; meningitis and encephalitis, 6; apoplexy, 4; all diseases of the brain and nervous system, 19; cirrhosis and hepatitis, 2; surgical operations, 1; suicide, 1; and drowning, 2.

Deaths from the principal Zymotic Diseases, Phthisis Pulmonalis, Pneumonia, Bronchitis, and Children under five years of age, reported during the week and compared with the three preceding weeks.

Table showing deaths from principal zymotic diseases and children under five years of age, comparing the current week with the three preceding weeks.

The ages of 106 of the persons who died during the week were reported to be under one year; 146 under two years; 205 under five years, and 27 seventy years and over, which shows that the deaths of children under five years of age was 20 less than the number reported during last week, and represent 40.27 per cent. of the total weekly mortality.

Deaths reported from Small-pox, Measles, Scarlatina, Diphtheria, Membranous Croup, Whooping Cough, Typhus, Typhoid, Cerebro-Spinal and Malarial Fevers, in Institutions, Tenement and other Dwellings, with Average Age, Floor, and Ward where the Death Occurred, and the Hour of Death, for the week ending May 10, 1879.

Table showing deaths by disease, categorized by floor (Basement, First, Second, etc.) and average age (Years, Months, Days).

Table showing deaths by disease, categorized by ward (First, Second, Third, etc.) and total deaths.

Hours at which Deaths Occurred.

Table showing the hours of the day when deaths occurred, categorized by A.M. and P.M. and total deaths.

Of the total number of deaths reported for the week, 88 were in institutions, 243 in tenement houses, 165 in houses containing 3 families or less, 7 in hotels and boarding-houses, 6 in rivers, streets, boats, etc.; 7 were on the basement floor, 104 on the first, 151 on the second, 86 on the third, 51 on the fourth, 16 on the fifth, — on the sixth. 506 were stated to be residents of New York City, and 3 non-residents. — were stated to be single, — married, — widowed, and the condition of — was not stated; these were children who had not attained a marriageable age.

The total number of burial permits issued during the week are as follows, viz.: City deaths, 509; still-births, 33; bodies in transitu, 15; of the total burial permits issued for city deaths and still-births, 55 were upon certificates received from the Coroners. 410 births, 182 marriages, 33 still-births, 509 deaths, 15 applications for transit permits were recorded, indexed, and tabulated. 32 searches of the registers of births, marriages, and deaths were made, and 5 transcripts of the birth record, 4 of marriage, and 28 of death were issued during the week.

The mean temperature for the week ending May 10, 1879, was 60.7 degrees Fahr., the mean reading of the barometer was 30.057, the mean humidity was 55, saturation being 100, the number of miles traveled by the wind was 778, and the total amount of rain-fall was .05 inches depth of water, as reported by D. Draper, Director of the New York Meteorological Observatory, Central Park.

The disposition of 491 deaths and still-births, or 90.59 per cent. of the total number reported, was in the following 14 cemeteries: Bayside (Jewish), 10; Calvary (Roman Catholic), 197; City (pauper burial ground—undenominational), 64; Greenwood (undenominational), 40; Lutheran (undenominational), 83; Cypress Hills (undenominational), 16; Evergreen (undenominational), 28; Woodlawn (undenominational), 18; St. Michael's (Protestant Episcopal), 9; Union (Methodist Protestant), 7; Holy Cross (Roman Catholic), 4; Machpelah, L. I. (Jewish), 2; St. Raymond's Roman Catholic, 5; Washington (undenominational), 8.

The distribution of deaths (actual mortality), for the week ending May 3, 1879, was in the following wards, viz.: First, 12; Second, 1; Third, 1; Fourth, 18; Fifth, 16; Sixth, 4; Seventh, 14; Eighth, 14; Ninth, 23; Tenth, 16; Eleventh, 26; Twelfth, 54; Thirteenth, 8; Fourteenth, 11; Fifteenth, 11; Sixteenth, 23; Seventeenth, 37; Eighteenth, 29; Nineteenth, 80; Twentieth, 38; Twenty-first, 37; Twenty-second, 34; Twenty-third, 4; Twenty-fourth, 9.

The actual mortality for the week ending May 3, 1879, was 520; this is 64 more than the number that occurred during the corresponding week of the year 1878, and 14.4 more than the average of the corresponding weeks of the past five years, and represents an annual death-rate of 24.69 per 1,000 persons living, the population estimated at 1,095,261.

The annual death-rate per 1,000 persons living, of the estimated or enumerated population, according to the most recent weekly returns, of Philadelphia was 18.40; Brooklyn, 21.55; St. Louis, 9.00; Baltimore, 14.28; Boston, 18.82; Cincinnati, 22.72; New Orleans, 25.25; Charleston, 25.54; Dayton, 14.05. Monthly returns—Chicago, 15.60; Milwaukee, 16.22; Providence, 19.72; New Haven, 14.8; Lansing, 9.60; Toledo, 13.75; Erie, 9.43; Nashville, 27.90; Norfolk, 24.52; Plattsburgh, N. Y., 18.67; Quincy, Ill., 10.97; Wilmington, Del., 25.44; Shelby County, Tenn., 15.71; Salt Lake, Utah, 18.92. Foreign cities—weekly returns—London, 25.5; Liverpool, 23.6; Birmingham, 27.9; Manchester, 28.8; Glasgow, 24.1; Edinburgh, 20.5; Dundee, 23.4; Dublin, 34.9; Belfast, 30; Cork, 32; Brussels, 30.9; Antwerp, 30.9; Ghent, 32.2; Buda-Pesth, 42.1; Paris, 29.4; Rome, 22.1; Naples, 31.9; Turin, 23.9; Berlin, 26.8; Breslau, 31.39; Vienna, 34.2; Trieste, 31.7; Copenhagen, 32.1; Stockholm, 23.8; Christiania, 14.73; Amsterdam, 24.6; Rotterdam, 27.4; The Hague, 28.1; Calcutta, 32.5; Bombay, 34.6; Geneva (with suburbs), 29.2; Basel, 26.9; Bern, 31.2; St. Petersburg, 21.62; Warsaw, 26.4. Monthly return—Hamburgh (State), 24.6.

The Board adjourned to Tuesday, May 20, at 12 o'clock M. EMMONS CLARK, Secretary.

BUREAU OF VITAL STATISTICS.

REPORTED MORTALITY* for the week ending May 10, 1879, together with the ACTUAL MORTALITY for the week ending May 3, 1879.

W. DE F. DAY, M. D., Sanitary Superintendent and Register :

SIR—There were 509 deaths reported to have occurred in this city during the week ending Saturday, May 10, 1879, which is a decrease of 34, as compared with the number reported the preceding week, and 54 more than were reported during the corresponding week of the year 1878.

Table showing the Reported Mortality for the week ending May 10, 1879, and the Actual Number of Deaths each day, from the Principal Causes, with the Ages of Decedents, for the week ending May 3, 1879.

Main table with columns for METEOROLOGY, CAUSES OF DEATH, DATE (April 27-May 3), AGE BY YEARS (Under 1 year to 70 and over), SEX (Male, Female), and COLORED. Includes sub-totals for children under 1, 2, and 5 years.

* Refers to the number of death certificates received.

DEATHS FROM ZYMOTIC DISEASES. NEW YORK.—DEATHS FROM SMALL-POX, MEASLES, SCARLATINA, DIPHTHERIA, CROUP, WHOOPING COUGH, TYPHOID FEVER, TYPHUS FEVER, MALARIAL FEVERS, PUERPERAL FEVER, DIARRHOEAL MALADIES, CEREBRO-SPINAL FEVER, AND OTHER ZYMOTIC DISEASES. Actual Mortality during the Week ending May 3, 1879. Includes columns for WARD, AREA IN ACRES, and various disease categories.

Very respectfully submitted,

JOHN T. NAGLE, M. D., Deputy Register of Records.

Births reported during the week ending May 10, 1879.

| TOTAL. | COLOR. | | SEX. | | NATIVITY OF PARENTS. | | | | | | | | NAME OF CHILD. | | | |
|--------|--------|----------|-------|---------|----------------------|----------|---------|----------------------|---------|----------------------|----------|---------------------------------|----------------|---------------------------------|----------|----|
| | White. | Colored. | Male. | Female. | Not stated. | Foreign. | Native. | Foreign Father only. | | Foreign Mother only. | | NATIVITY OF FATHER STATED ONLY. | | NATIVITY OF MOTHER STATED ONLY. | | |
| | | | | | | | | Foreign | Native. | Native. | Foreign. | Native. | Foreign. | Native. | Foreign. | |
| 410 | 405 | 5 | 211 | 199 | | 226 | 90 | 58 | 29 | 1 | 1 | 3 | 2 | | 351 | 59 |

Marriages* reported during the week ending May 10, 1879.

| TOTAL. | COLOR. | | NATIVITY. | | | | | | CONDITION. | | | | | | | | | | | | |
|--------|--------|----------|-----------|---------|--------------|-------------|-----------------|------------------|-----------------|------------------|-------------|-------|---------|-------|---------|-------|---------|-------|---------|-------|---------|
| | White. | Colored. | Foreign. | Native. | Born at sea. | Not stated. | First Marriage. | Second Marriage. | Third Marriage. | Fourth Marriage. | Not Stated. | Male. | Female. | Male. | Female. | | | | | | |
| | | | | | | | | | | | | | | | | Male. | Female. | Male. | Female. | Male. | Female. |
| 182 | 178 | 4 | 88 | 73 | 92 | 109 | .. | .. | 2 | .. | .. | 142 | 145 | 29 | 25 | .. | .. | .. | .. | 11 | 12 |

* The returns of births, marriages, and still-births are incomplete.

Nativity of those who were Married, and the Parents of the Births and Still-Births, for the week ending May 10 1879, and those who Died (actual mortality), week ending May 3, 1879.

| NATIVITY OF DECEASED. | COUNTRY. | DEATHS. | | BIRTHS. | | MARRIAGES. | | STILL-BIRTHS. | |
|-----------------------|-----------------------------|---------------------|---------------------|---------------------|---------------------|--------------------|--------------------|---------------------|---------------------|
| | | Nativity of Father. | Nativity of Mother. | Nativity of Father. | Nativity of Mother. | Nativity of Groom. | Nativity of Bride. | Nativity of Father. | Nativity of Mother. |
| 2 | Austria | 12 | 10 | 2 | 1 | 3 | 2 | .. | .. |
| 1 | British America | 1 | 1 | 3 | 6 | .. | .. | .. | .. |
| 10 | England | 17 | 19 | 10 | 11 | 6 | 8 | 1 | 1 |
| 3 | France | 5 | 4 | 5 | 4 | 2 | 2 | 1 | 1 |
| 65 | Germany | 130 | 125 | 160 | 133 | 44 | 31 | 14 | 13 |
| 7 | Ireland | 173 | 172 | 67 | 68 | 27 | 21 | 3 | 3 |
| 3 | Italy | 10 | 10 | 12 | 11 | .. | .. | 1 | 1 |
| 3 | Poland | 3 | 3 | 5 | 5 | .. | .. | .. | .. |
| .. | Scotland | 5 | 4 | 4 | 2 | .. | 3 | .. | .. |
| .. | Switzerland | .. | .. | .. | 1 | 3 | 2 | .. | .. |
| 339 | United States | 118 | 128 | 120 | 151 | 92 | 109 | 8 | 12 |
| 4 | Unknown or not stated | 24 | 24 | 5 | 2 | 2 | .. | 4 | 2 |
| 3 | West Indies | 6 | 3 | 2 | 1 | .. | 1 | .. | .. |
| 12 | Other countries | 16 | 17 | 15 | 14 | 3 | 3 | 1 | .. |

Still-Births reported during the week ending May 10, 1879.

| TOTAL. | SEX. | | COLOR. | | NATIVITY OF | | | | PERIOD OF UTERO-GESTATION. | | | | | | | | | | | | |
|--------|-------|---------|--------|----------|-------------|----------|---------|----------|----------------------------|---|----|----|----|----|---|---|---|----|----|----|----|
| | Male. | Female. | White. | Colored. | FATHER. | | MOTHER. | | MONTH. | | | | | | | | | | | | |
| | | | | | Native. | Foreign. | Native. | Foreign. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | | | |
| 33 | 21 | 12 | 32 | 1 | 8 | 21 | 4 | 12 | 19 | 2 | .. | .. | .. | .. | 2 | 3 | 1 | 7 | 20 | .. | .. |

Deaths reported during the week ending May 10, 1879.

| TOTAL. | PLACE OF DEATH. | | | | | | | | | | RESIDENCE. | | | CONDITION. | | | | | | | |
|--------|-----------------|------------------|---|-----------------------------|---------------------------------|-------------|-----------|---------|---------|--------|------------|--------|--------|----------------|------------------------|--------------|---------|----------|----------|--------------|------|
| | Institutions. | Tenement-houses. | Houses containing three families or less. | Hotels and Boarding-houses. | In Rivers, Streets, Boats, etc. | Not stated. | Basement. | FLOORS. | | | | | | New York City. | Outside New York City. | Not stated.† | Single. | Married. | Widowed. | Not Stated † | |
| | | | | | | | | First. | Second. | Third. | Fourth. | Fifth. | Sixth. | | | | | | | | Top. |
| 509 | 243 | 165 | 7 | 6 | .. | 7 | 104 | 151 | 86 | 51 | 16 | .. | .. | .. | 506 | 3 | .. | 55 | 137 | 57 | 260 |

† Principally children and deaths in institutions.

BOARD OF COMMISSIONERS OF RAPID TRANSIT.

54 EXCHANGE PLACE,
SATURDAY, May 3, 1879.

The Board met, pursuant to adjournment, at 10 o'clock A. M.
Present—All the Commissioners, viz.: The President, Henry F. Spaulding, Benjamin G. Arnold, Lewis G. Morris, and Samuel R. Filley.
The minutes of the previous meeting were read and approved.
A report from the Engineers was received, read, and accepted.
On motion of Mr. Filley, it was
Resolved, That the Engineers be instructed to proceed forthwith, and complete, at the earliest possible moment, their full report.
The Secretary was instructed to consult the counsel, Mr. MacLean, respecting his interpretation of certain sections of the Rapid Transit Act.
On motion, adjourned to the 10th inst., at 10 o'clock A. M.
WILLIAM G. TULLER, Secretary.

SATURDAY, May 10, 1879.

The Board met, pursuant to adjournment, at 10 o'clock A. M.
Present—All the Commissioners, viz.: The President, Henry F. Spaulding, Benjamin G. Arnold, Lewis G. Morris, and Samuel R. Filley.
The minutes of the previous meeting were read and approved.
The Secretary submitted the written opinions of Counsel on matters heretofore referred to them, which were read, considered, and directed to be filed.
Upon motion of Mr. Spaulding, it was
Resolved, That all parties asking this Board to consider their claims to the right to construct and operate a railroad in the Twenty-third and Twenty-fourth Wards, under any charter or corporation, whose franchise is now valid, be requested to set forth their claims in writing, with a copy of their Charter or Act of Incorporation, and when filed, with a list of officers and directors, and statement of what has been done in the Twenty-third and Twenty-fourth Wards towards securing the right of way and constructing the road, together with a map showing the exact lines on which the road is fixed and located, also information as to the financial ability of their company.
The Secretary is hereby directed to furnish a copy of this resolution to each party making such claims, and request their compliance within five days.
Upon motion of Mr. Morris, it was
Resolved, That Mr. A. Findlay be employed to go to White Plains and ascertain from the records what railroads or railways, other than those now in operation, have filed maps of the routes in or through any part of the Twenty-third and Twenty-fourth Wards, known as the "Annexed District," and to obtain certified copies of such routes, with dates of filing, and any other information of record pertaining to such roads, or the routes they have fixed and located in the said district.
The Commissioners then made a further examination of maps and routes, assisted by the Consulting Engineer, General Greene.
On motion, adjourned to the 12th instant, at 10 o'clock A. M.
WILLIAM G. TULLER, Secretary.

LAW DEPARTMENT.

LAW DEPARTMENT,
OFFICE OF THE COUNSEL TO THE CORPORATION,
NEW YORK, May 7, 1879.

Hon. EDWARD COOPER, Mayor :

SIR—I duly received your letter of the 19th of April last, requesting my opinion as to when the term of office of Thomas Dunlap, as Commissioner of Jurors, will expire.
I regret to be obliged to say that the question is so far involved in doubt that any opinion which may be formed upon the subject is necessarily unsatisfactory, by reason of the fact that the law itself is obscure, and there are no judicial precedents to aid in its interpretation.
A careful reading of the charter places one readily at the standpoint from which the person who drew it framed its provisions. It was apparently drawn early in the Legislative session, and it was in the contemplation of the writer that it would be passed in sufficient time to enable all the appointments to be made to the Board of Aldermen, and confirmed prior to May 1, 1873.
He therefore provided in the 117th section that the terms of office of the then incumbents of the various offices, including that of the Commissioner of Jurors, should expire on May 1, 1873, "unless an appointment of a successor shall be sooner made, as heretofore provided, in which case the term of office of the present incumbent shall cease, and the person so appointed shall enter upon his office on the first Monday succeeding such appointment."
The term of office of Douglas Taylor, then Commissioner of Jurors, expired May 1, 1873, by virtue of this provision, and there was a vacancy thus created in the office. But no person was appointed and duly confirmed in the office until July 22, 1875, and meanwhile Douglas Taylor held the office, discharging its duties in accordance with the Revised Statutes, which, in order that there may always be some person authorized to discharge the public functions of a public office, have provided that a public officer shall always hold until his successor is appointed and has qualified.
Under the authority conferred by this charter, the late Mayor Havemeyer, by a communication to the Board of Aldermen, dated May 19, 1873, nominated Joseph B. Varnum for appointment as Commissioner of Jurors in the place of Douglas Taylor, whose term of office had expired May 1, 1873. In a separate communication to the Aldermen, however, Mayor Havemeyer suggested that there was a doubt as to whether the provisions in the charter, in relation to the Commissioner of Jurors, were constitutional, and thereupon the nomination was laid over. Some time after, Mr. Varnum died, the Board of Aldermen never having consented to his appointment.
On July 22, 1875, Mayor Wickham addressed a communication to the Board of Aldermen, reciting the facts above stated, and nominated Thomas Dunlap to be Commissioner of Jurors, to fill the vacancy created by said charter, and the Board of Aldermen thereupon, on the same day, confirmed the nomination. The question which arises is whether Mr. Dunlap was appointed for a full term of six years from July 22, 1875, or whether he is to be regarded as appointed for the unexpired balance of a term of six years, which commenced on May 1, 1873.
The person who framed the charter, on the supposition that it would be adopted long prior to May 1st, provided in the twenty-fifth section, that the Mayor should "within twenty days after the passage of the act" nominate a person or persons "in place of any present incumbent or incumbents." And further, "the persons first appointed shall take office on the expiration of the terms of office of the present incumbents, as hereinafter provided."
The time "hereinafter provided" was May 1, 1873 or sooner.
It will be seen that full provision is made for appointments made prior to May 1, 1873, but no provision is made for the case when the appointment did not come to be made until long after May 1, 1873, as was the case with the office of Commissioner of Jurors.
Thomas Dunlap did not take office May 1, 1873, and the contingency of his not doing so is not provided for.
The provision with reference to the term, is as follows :
"Every head of department and person in this section named, except as herein otherwise provided, shall hold his office for the term of six years, and in each case until a person is duly appointed in his place."
If literal effect should be given to these words, Mr. Dunlap would hold until six years from the time of his appointment, which would be some time in 1881.
Against this view is the fact that apparently the framers of the charter supposed the incumbents were to go out and new ones come in, and a new term thus begin May 1, 1873. And if they had used a little different expression in the 25th section, it would have been clear that the new term began at that time, whether there was a person appointed to fill it or not; for example: If, instead of saying, "The persons first appointed shall take office May 1, 1873, and shall hold his office for the term of six years," it had said, "The term of office of the persons first appointed shall begin May 1, 1873, and the term shall be for six years," it would have been clear, of course.
It is open to argument that such is the meaning of the language employed, but literally it is not so expressed; and it can, with equal force, perhaps, be argued that if they had so intended they would have so said. There are no precedents in the shape of judicial determination upon the question whether a hold-over officer exhausts a portion of the succeeding term as a general proposition, and if any reported cases were to be found they would doubtless be discovered to have been decided upon the special language of a particular statute, and furnish no special aid in any other case.
If I were a court of last resort I could decide the question and settle the law; but an *ex-cathedra* opinion from me, founded upon no satisfactory basis of reasoning, will have no tendency to settle the question. The law must be settled judicially before anybody can predicate anything positive with reference to it. So far as the language of the charter is concerned, it is simply a case that was not in the mind of the framers of the charter, and not provided for with any certainty. I am, sir,
Yours respectfully,
W. C. WHITNEY, Counsel to the Corporation.

