

made to the Comptroller, which we are informed is not done. A clerk may furnish certificates every day in the year. If he is honest and accurate, the certificates will correctly represent the amount of money received. If he is dishonest or careless, he may omit to certify to all the money that has come into his hands; and so with regard to his monthly returns to the Comptroller, which he can easily square with the certificate given to the Police Justices. Both may agree in the aggregate, and yet neither be correct.

System of Records.

The Books of Record, kept in the Police Courts, should, in accordance with the requirements of law, contain the "names and sex, and, as near as may be, the age, of all persons against whom complaints or charges have been made; the nature and date of the complaint or charge, and the name and residence of the complainant; giving street and number; the date and nature of all warrants, or other process issued, and against whom; the date, nature and result of all examinations; the date of the reception and the name and the disposition of all prisoners; the names of all persons waiving examination; the names of all persons giving bail and its amount; and the names and residence of all bondsmen; the name, residence and age, as near as possible, and the sex of all persons committed, fined, convicted, held for trial, or sent to the Sessions for trial, and for what cause, and by what Justice, and at what date; the date at which any fine or costs are paid, by whom, and the amount; the name, residence and age and sex of all persons discharged, by what Justice, of what charge and at what date, together with a suggestion of the cause of such discharge; the filing, care and prosecution of recognizances; the names and residence of all attorneys appearing in respect of any charge or on any hearing, and the reasons for any unusual delay in any proceedings."

Also chap. 538, sec. 13, Laws of 1873, part of paragraph No. 8 provides as follows: "Nor shall any charge be dismissed, or any prisoner be discharged, without a record of the same having been before the Justice so dismissing or discharging the same, and the name of such prisoner and the nature of the charge."

The forms of the records kept by the clerks are as follows, viz.:

POLICE COURT RECORD.

Magistrate.	Complainant.	Residence.	Defendant.
Residence.	Sex.	Age.	Color.
Nativity.	Nature of Complaint.	Date of Complaint.	Process. A
Officer.	Precinct.	Date of Arrest.	Fine.
Paid.	Date.	Disposition of Case.	Date of Disposition.
Name and Residence of Bondsmen. B	Name and Residence of Attorney. C	Remarks.	

A. PROCESS.—This column, which was probably intended as a compliance with that portion of the law requiring the date and nature of all warrants or other process issued, and against whom, remains a blank in this record, but the law is fully complied with in another register.

B.—The names and residences of bondsmen do not always appear on this record, but they are found on another register, kept distinctly for that purpose, which affords a more ready reference.

C.—The names and residences of attorneys remain a blank on the record and do not appear on any other book.

CASH BOOK.

Date.	From whom.	Offence.	Justice.	Amount.
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WARRANT REGISTER.

Police Justice.	When issued.	Complainant.	Residence.
Defendant.	Residence.	Offence.	When returned.
Officer.	Record Folio.		

RECORD OF BONDSMEN.

Magistrate.	Name of Surety.	Address of Surety.	Offence
For whom Surety.	Amount.	Remarks.	

This book is arranged alphabetically.

RECORD BOOK OF PAPERS SENT TO THE SPECIAL SESSIONS.

Complainant.	Defendant.	Offence.
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The daily entries upon which are duly attested by the Clerk of the Court of Special Sessions.

RECORD BOOK OF PAPERS SENT TO THE DISTRICT ATTORNEY.

Felonies.	Complainant.	Defendant.
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The entries upon which are duly attested by the District Attorney, or one of his clerks. The forms of these records are in substantial compliance with the requirements of law, but the methods of keeping them are not uniform.

System of Recording and Filing Papers.

No two clerks record or file their papers under the same system, and owing to constant rotation of the clerks from one Court to another, and to the adoption by each clerk of his own system, regardless of the method of his predecessor, much confusion and uncertainty ensue.

We are informed that it is the practice of some of the Police Justices, when they consider an accused person not guilty of the charge preferred, to destroy the complaint, or affidavit. Such a case may, or may not, be referred to the clerk for entry upon his records. If not so referred (and there appear to be many such cases), the only sources of information in regard to the complaint are a reference to the Police Precinct Schedule, which it is also the practice to destroy, or to the officer who made the arrest.

Section 15, chapter 538, Laws of 1873, provides as follows: "Such Police Clerks, besides having the duties now imposed by law, shall be responsible for the records and papers pertaining to such Police Courts; shall cause them to be conveniently filed and indorsed; shall keep clear and full minutes of all business done at such Courts, or before such Justices as such rules may require, so that the disposition of, and proceedings in regard to, every matter and person brought before a Police Justice, or Court, shall appear."

At all the Courts except the Fifth and Sixth District Courts, we found the papers filed in a careless way, without system or security.

Many complaints or affidavits found by us in the files, were not entered upon the Court records. A majority of these cases are styled "office business," which term is given to those cases that are not recorded on the Police Precinct Schedules, the arrests having been made after the schedules were prepared. We find that at the Third District Police Court, during the period from November, 1873, to December, 1877, and during the years 1879 and 1881, a large proportion of the office cases were not recorded, and no entries were made in the Cash Book.

At all the Courts the Records of Bondsmen are incomplete. In very many cases that are marked "bailed" on the original affidavit, the names of the sureties are not recorded, either in the Police Court Record or in the Record of Bondsmen.

Court Proceedings.

Section 13, paragraph 8, chapter 538, Laws of 1873, provides, "That no charge, complaint, or person brought before one Justice shall be sent before another, except for adequate cause, to be fully and at once entered upon the records kept by such Police Clerks and signed by the Justice; no person shall be committed, or recommitted for examination, save for necessary cause, to be then stated clearly upon such records; the hearing upon no charge shall be adjourned to another day, without the suggestion of the reason therefor being entered upon such records, etc."

Regarding the above requirements of law, we have to report that we find numerous cases that have been dismissed by a Justice other than the one committing, without record, and that we find it to be the almost universal practice to commit all prisoners on "temporary" commitments for examination, even after the prisoners have been properly examined and sentenced, the papers being marked "committed," and so recorded.

We find also in many cases, where the prisoners had been fully examined and committed on these "temporary" commitments and so recorded, that, although properly sentenced at the time of examination, they were discharged on "temporary" discharges, without proper record of the same, and the records and affidavits show on their face that such prisoners were fully committed, while the jail records show them as held for examination and afterwards discharged by the Justice. The statistics made up by the Clerks, and published by the Board of Police Justices, designate these prisoners as committed in default of payment of fine, and do not show the fact that the prisoners were discharged upon examination.

This practice of recording prisoners as committed in default of payment of fine, who are not actually committed, but merely temporarily held by the Warden and discharged the same day by the Justice, leads not only to great confusion in the records of the Court Clerks and the Warden of the City Prison, and to the publication of incorrect statistics, but it also opens the door to further improper practices.

The City pays to the Sheriff of the City and County of New York, acting under authority of the laws of 1867, chap. 604, sec. 5, and the resolution of the Board of Aldermen adopted January 21, 1875, and approved by the Mayor, January 27, 1875, the sum of fifty cents for each conviction reported by him to the Secretary of State. The Sheriff bases his claim as to the number of convictions on these Court records, and the report that he makes practically duplicates the reports made to the Secretary of State by the Board of Police Justices. To include in the Sheriff's report, and in his claim for fees, prisoners who erroneously appear as convicted and committed, and who were actually discharged upon examination, results not only in the publication of false statistics, but also takes from the public treasury, and hands over to the Sheriff, moneys to which he is not entitled.

We further find, that some prisoners, though properly and fully committed, are discharged by a "temporary" discharge, signed by the Justice only, whereas the proper form of discharge for all prisoners fully committed, is the joint discharge of the Justice committing and one of the Commissioners of Public Charities and Correction. (See Laws of 1863, chap. 510, sec. 7, as amended by laws of 1864, chap. 586, sec. 1.)

City Prison.

As the ultimate disposition made of a prisoner committed to the City Prison does not appear on the records of the Police Clerk, it becomes essential that the records of the Warden, and of all other officers who may have to deal with the prisoner, should be fully and accurately kept, in order not only that all fines may be traced, but also that the whole action taken in each case may fully appear.

The Books of Record of the Warden of the City Prison (under charge and direction of the Commissioners of Public Charities and Correction), are as follows, viz.:

Record of the number of prisoners admitted into the New York City Prison, with the date of entrance, name, color, country, age, offence, education, occupation, habits of life, social relations, etc.

One book kept by the Jailor in Male Prison.

One book kept by the Jailor in Female Prison.

Date.	Name.	Cell.	Magistrate.
Crime.	Fine or Bail.	Disposal.	Number of Street.
Residence.	Age.	Sex.	Country.
Race.	Social Relations.	Whether either or both parents died before the prisoner was 15.	Children.
Whether Temperate or Intemperate.	Education. Cannot Read.	Education. Read only.	Education. Read and Write.
Education. Classical Education.	Religion.	Number of former Committals.	State Health when Committed.
Ever in Reformatory.	Trade or Occupation.	Whether so employed when arrested.	Value of Articles Stolen.
Remarks.	Etc.	Etc.	Etc.

The information intended for record in this book, under the above-mentioned heads, is not contained in it, most of the columns being blank. The disposal column of the Male Book does not even show what disposition is made of the prisoner—whether he pays fine, is transferred, or serves out his time. There is no absolute record whatever in the City Prison of date of discharge of prisoners. All entries of this nature in the disposal column of this Record Book are found to be uncertain and unreliable.

No receipt is taken by the Warden of the City Prison for prisoners transferred to the Workhouse. The Warden's explanation of this is, that he is an employe of the Commissioners of Public Charities and Correction, and delivers his prisoners to his own Department, consequently needs no receipt. Though removed out of his jurisdiction, he can produce no receipt to relieve himself of accountability in case of question. The Sheriff gives loose receipts for prisoners transferred to the Penitentiary, State Prisons, and House of Refuge. It would be better if these receipts were in book-form.

For insane, sick prisoners and vagrants the Warden obtains loose receipts from the Doctors or Drivers, when transferred to hospitals. These receipts should also be in book-form.

There is another book, the form of which is used in District Prisons. It is a register of all prisoners who come into the prison. This form of book was used temporarily by the Warden of the City Prison on account of an unexpected delay in the preparation and printing of the proper form.

BUREAU OF VITAL STATISTICS.

REPORTED MORTALITY* for the week ending October 7, 1882, together with the ACTUAL MORTALITY for the week ending September 30, 1882.

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

SIR—There were 594 deaths reported to have occurred in this city during the week ending Saturday, October 7, 1882, which is an increase of 47, as compared with the number reported the preceding week, and 16 less than were reported during the corresponding week of the year 1881. The actual mortality for the week ending September 30, 1882, was 574, which is 21.8 above the average for the corresponding week for the past five years, and represents an annual death-rate of 23.15 per 1,000 persons living, the population estimated at 1,288,784.

Table showing the Reported Mortality for the week ending October 7, 1882, and the Actual Number of Deaths each day, from the Principal Causes, with the Ages of Decedents, for the week ending September 30, 1882.

Main table with columns for Meteorology, Causes of Death, Date (Sept. 24-30), Actual Number of Deaths, Age by Years (Under 1 year to 70 and over), Sex (Male, Female), and Color (White, Colored).

*Refers to the number of death certificates received.

DEATHS FROM ZYMOTIC DISEASES. Table with columns for Wards, Area in Acres, Mortality by Disease (Small-pox, Measles, etc.), Total Deaths, Total Population, and Remarks.

Very respectfully submitted,

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

