CITY GOVERNMENT.

Board of Councilmen.

OFFICIAL.] STATED SESSION—Monday, May 30, 1864. 2 o'clock p. m.

The Board met, pursuant to adjournment, in their Chamber, No. 16 City Hall.

Present—James Hayes, esq., President, in the chair, and the following members:

Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Jaques, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald and Joyce—22.

The minutes of the two preceding meetings were read and approved.

(Councilman HAGERTY was here called to the chair.)

PETITIONS.

By Councilman GROSS—

Petition of Dr. G. Wolff, for donation in payment of medical services rendered in case of poisoning.

Which was referred to the Committee on Finance.

By Councilman BRANDON—

Petition of Isaac Geery, for relief in the matter of assessment for sewer in Canal street.

Which was referred to the Committee on Finance.

By Councilman BRANDON—

Petition of property-owners in East Thirty-ninth street, between Lexington and Fourth avenues, to have the street paved with Belgian pavement.

In connection therewith Councilman BRANDON presented the following resolution:

Resolved, That Thirty-ninth street, between Fourth and Lexington avenues, be paved with Belgian pavement, one-half of the expense of the property-owners on the line of the proposed improvement, and one-half at the expense of the city, the work to be done under the direction of the Croton Aqueduct Department.

Which was referred to the Committee on Belgian Pavement.

RESOLUTIONS.

By Councilman BRICE—

Resolved, The fire telegraph connecting the Engine, Hose and Hook and Ladder Companies below Fourteenth street with the Central Office in the City Hall, and it is necessary that proper rules and regulations organizing the telegraph department should be immediately adopted, therefore be it

Resolved, That the Committee on Fire Department be and they are hereby instructed to report a draft of an ordinance to provide for the proper working of the Fire Telegraph of this city.

Which was adopted.

By Councilman SCHAEFER—

Resolved, That the vacant lots in Seventeenth and Eighteenth streets, between Sixth and Seventh avenues, be fenced in immediately, under the direction of the Street Commissioner.

Which was referred to the Committee on Public Health.

By Councilman RUSSELL—

Resolved, That permission be and it is hereby given to Mr. Pettigrew, number six hundred and eighty-one Third avenue, to construct an awning in front of his place of business, the same to remain during the pleasure of the Common Council.

Which was adopted.

By Councilman HAGERTY—

Resolved, That permission be and the same is hereby given to Leopold Schapp to place a gutter bridge in front of his premises, number two hundred and eighty-two Greenwich street, the same to remain during the pleasure of the Common Council.

Which was adopted.

By Councilman RUSSELL—

Resolved, That the Council to the Corporation be and he is hereby authorized and directed to take the necessary legal measures to have Sixteenth street, from First avenue to the East River, opened according to law.

Which was referred to the Committee on Street Openings.

By Councilman RUSSELL—

Resolved, That the Street Commissioner be and he is hereby directed to cause gas lamps to be placed in Forty-first street, between Second avenue and East river, and have the same lighted without delay.

Which was referred to the Committee on Lamps and Gas.

By Councilman HEALY—

Resolved, That permission be, and the same is hereby given to John K. Stowe, to erect an awning in front of his premises, No. eighty South street, the same to remain during the pleasure of the Common Council.

Which was adopted.

By Councilman KOSTER—

Resolved, That G. H. Morand be permitted to place a small showcase in front of his premises, number one hundred and fifty-six Bowery, the same to remain during the pleasure of the Common Council.

Which was adopted.

By Councilman HAGERTY—

Resolved, That the Street Commissioner be and he is hereby authorized and directed to remove the sheds and incumbrances on the bulkhead and piers now occupied by the New-York and Erie Railroad Company, between Chambers and Duane streets, forthwith, and the Corporation Counsel be and is hereby directed to commence proceedings against said company for all violations of Corporation ordinances and resolutions heretofore violated by said New-York and Erie Railroad Company.

Which was referred to the Committee on Wharves, Piers, and Slips.

By Councilman GROSS—

Resolved, That the Comptroller be and he is hereby authorized and directed to draw his warrant in favor of F. Wanner machrodez the amount of the annexed bills for music furnished on the reception of regiments, funerals, &c., amounting in all to five hundred and twenty-five dollars, and charge the same to its appropriate account.

Which was referred to the Committee on National Affairs.

By Councilman BRICE—

Resolved, That permission be and it is hereby given to Mr. William S. Blanck, of number four hundred and forty-three Eighth avenue, to receive and deliver goods in front of his premises, said permission to remain during the pleasure of the Common Council.

Which was adopted.

By Councilman HEALY—

Resolved, That permission be and it is hereby given to Michael Connelley to keep a fruit stand on the corner of Duane and Centre streets, in front of Sweeny's Hotel, the same to remain during the pleasure of the Common Council.

Which was adopted.

By Councilman BRANDON—

Resolved, That the Street Commissioner be directed to have the wooden structures, temporarily erected in front of Sanitary Fair Buildings, in Fourteenth street, near Sixth avenue, removed forthwith.

Which was adopted.

By Councilman BRANDON—

Resolved, That the sidewalks on Thirty-third street, between Second and Third avenues, be flagged and reflagged, curb and gutters set and reset, where not already properly done, under the direction of the Street Commissioner, and the accompanying ordinance therefor adopted.

Which was referred to the Committee on Roads.

INVITATION.

An invitation was received from the Congregation Ahawath Chesed to attend the consecration of the synagogue of this congregation in avenue C, corner Fourth street, Friday, June 3d, at four o'clock p. m.

Which was accepted.

REPORTS.

The report of Committee on Belgian Pavement, to pave with Belgian or trap-block pavement, West Sixteenth street, between First and Sixth avenues.

Which was laid over.

MOTIONS.

Councilman McGRATH moved that the Committee on Fire Department be discharged from the further consideration of resolution that the Comptroller be directed to draw his warrant in favor of James Johnson for the sum of four hundred and one dollars and seventy-three cents, to be in full payment for materials furnished for building house for Engine Company number Thirty-one, in Canal street, the amount to be charged by the Comptroller to any appropriation having an unexpended balance sufficient to pay the same.

Which was carried.

The resolution was then laid over.

RESOLUTIONS RESUMED.

By Councilman GROSS—

Resolved, That the Comptroller be requested and directed to draw his warrant in favor of Isaac M. Phillo, Treasurer of the Veteran Corps of the War of 1812-14, for the sum of one hundred dollars, being the amount appropriated to the "Veteran Corps," by the Committee on Celebration of the Fourth of July, 1863, and charge the same to its appropriate account.

Which was laid over.

By Councilman GROSS—

Resolved, That the Comptroller be and he is hereby authorized and directed to draw his warrant in favor of John Lattier, for the sum of twenty-nine dollars, for music furnished on the occasion of the celebration of the Anniversary of the Declaration of Independence, July 4, 1863, and charge the same to its appropriate account, the same having been omitted in the list of bills heretofore passed by the Common Council.

Which was referred to the Committee on Finance.

GENERAL ORDERS.

Councilman HEALY called up General Order No. 267, being a resolution that the following named streets be opened as hereinafter designated, according to law, and that the Counsel to the Corporation is hereby directed to take the necessary measures to carry this resolution into effect:

Sixty-third street, from Fifth avenue to East River, and from Eighth avenue to Hudson River.

Sixty-seventh street, from Third avenue to East River, and from Eighth avenue to Hudson River.

Seventy-first street, from Fourth avenue to East River, and from Tenth avenue to Hudson River.

Seventy-second street, from Fourth avenue to Harlem River, and from Eighth avenue to Hudson River.

Ninetieth street, from Third avenue to Harlem River, and from Eighth avenue to Hudson River, where not already opened.

Ninety-sixth street, from Fifth avenue to Harlem River, and from Eighth avenue to Bloomingdale Road.

Ninety-ninth street, from Fifth avenue to Harlem River, and from Eighth avenue to Hudson River.

One Hundred and Fifteenth street, from Tenth avenue to Harlem River.

One Hundred and Twenty-fourth street, from the Hudson River to the Harlem River.

One Hundred and Twenty-seventh street, from Fifth avenue to Harlem River, from Sixth avenue to Lawrence street, and from Eleventh avenue to Hudson River.

One Hundred and Thirty-third street, from Eighth avenue to Harlem River, and from Tenth avenue to Hudson River.

One Hundred and Forty-first street, from Bloomingdale Road to Harlem River.

Which was adopted by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald and Joyce—19.

Negative—Councilmen Jaques and Cook—2.

Councilman JOYCE called up General Order No. 230, being a resolution of Board of Aldermen, that the Street Commissioner be directed to set and reset at the earliest possible day the curb and gutter stones on Fortieth street, between Ninth and Tenth avenues, wherever the same may be necessary, and that the accompanying ordinance therefor be adopted.

Which was concurred in by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald and Joyce—21.

Negative—Councilmen Jaques—1.

Concurrence in general order No. 274, being a report of Committee on Fire Department, in favor of concurring with Board of Aldermen in adopting resolution that the Comptroller be directed to advertise for a new location for the use of Engine Company number Fifty-three, and location to be within the following boundaries, viz: Hudson, Reade, and Washington streets and Jay street.

Which was adopted by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald and Joyce—21.

Councilman HAGERTY called up general order No. 179, being a resolution of Board of Aldermen, that the compensation of the engrossing clerk of the Board of Aldermen be fixed at the sum of two thousand dollars per annum, to be paid monthly, in lieu of fees as heretofore, the said compensation or salary to date from the 1st day of January, 1864.

Which was concurred in by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald and Joyce—21.

Concurrence RUSSELL called up General Order No. 227, being a report of Committee on Finance, in favor of adopting resolution that the Comptroller be directed to draw his warrant in favor of Sister Isidora, of the Industrial School under the charge of the Sisters of Charity in Forty-second street, for the sum of two thousand dollars, and charge the same to the appropriation for Donations and Charities.

Which was recommitted to the Committee on Finance.

Councilman FITZGERALD called up General Order 254, being a report of Committee on Sewers, in favor of concurring with Board of Aldermen in adopting resolution, that a sewer with the necessary receiving basins and culverts be built in Third avenue, from the north side of One Hundred and Tenth street to One Hundred and Eighth street, under the direction of the Croton Aqueduct Board, and that the accompanying ordinance therefor be adopted.

Which was adopted by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald, and Joyce—21.

Negative—Councilmen Jaques—1.

Concurrence HOUGHTALIN called up General Orders No. 279, being a report of Committee on National Affairs, in favor of concurring with Board of Aldermen in adopting resolution, that the Comptroller be directed to draw his warrant in favor of Colonel B. L. Trafford, of the Seventy-first Regiment New-York National Guard, for the sum of one hundred and thirty-seven dollars, for expenses incurred for the reception of the Fifty-ninth and Sixty-sixth Regiments, on the 12th of January, 1864.

Which was adopted by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald and Joyce—21.

Concurrence HAGERTY called up general order No. 275, being a report of Committee on Sewers, in favor of adopting resolution that a sewer, with the necessary receiving basins and culverts, be built in Forty-sixth street, from the Eleventh avenue to a point seventy-five feet west of Tenth avenue, the same to be done under the direction of the Croton Aqueduct Board, and that the accompanying ordinance therefor be adopted.

Which was adopted by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald, and Joyce—21.

Report of Committee on Public Health in favor of adopting resolution that the vacant lots on the north side of Fifty-fourth street, one hundred feet west of Ninth avenue, be fenced in immediately under the direction of the Street Commissioner, and the accompanying ordinance therefor adopted.

Which was adopted by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald, and Joyce—21.

Negative—Councilman Jaques—1.

Councilman BROPHY called up General Order 278, being a report of Committee on Streets of Board of Aldermen, with resolution that the curb of land on the west side of Centre street, between Reade and Duane streets, be paved with Belgian pavement, the property-owners to pay one-half of the expense, and the city the remaining half, under the direction of the Croton Aqueduct Department, and that the accompanying ordinance therefor be adopted.

Which was concurred in by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald and Joyce—21.

Councilman BRANDON called up General Order No. 191, being a resolution that the vacant lots in Thirtieth street, south side, about one hundred feet west of Second avenue, be fenced in, under the direction of the Street Commissioner, and that the accompanying ordinance therefor be adopted.

Which was adopted by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald, and Joyce—21.

Councilman HOUGHTALIN called up General Order No. 191, being a resolution that the Street Commissioner be directed to remove the wooden house erected on the Battery, opposite Bridge street, immediately.

Councilman JAQUES moved that said resolution be referred to the Committee on Lands and Places.

Which was lost.

The resolution was then concurred in.

Resolution, that permission be given to Richard Flinn to keep a stand in front of number one hundred and forty-seven West street, said permission to continue only during the pleasure of the Common Council.

Which was concurred in.

Resolution, that permission be given to Messrs. Smith and Butler to erect a sign and post on the sidewalk near the curbstone in front of their premises, number four hundred and forty-nine Broome street, between Broadway and Mercer streets, the same to remain during the pleasure of the Common Council.

Which was concurred in.

Resolution, that permission be given to John Sharp to receive and deliver goods in front of his place of business, number five hundred and eighteen Hudson street, said permission to continue during the pleasure of the Common Council.

Which was concurred in.

GENERAL ORDERS RESUMED.

Councilman JOYCE called up General Order No. 275, being a report of Committee on Sewers, in favor of adopting resolution that a sewer, with the necessary receiving basins and culverts, be built in Forty-sixth street, from the Eleventh avenue to a point seventy-five feet west of Tenth avenue, the same to be done under the direction of the Croton Aqueduct Board, and that the accompanying ordinance therefor be adopted.

Which was adopted by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald, and Joyce—21.

Report of Committee on Public Health in favor of adopting resolution that the vacant lots on the north side of Fifty-fourth street, one hundred feet west of Ninth avenue, be fenced in immediately under the direction of the Street Commissioner, and the accompanying ordinance therefor adopted.

Which was adopted by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald, and Joyce—21.

Councilman RUSSELL called up General Order No. 271, being a report of Committee on Belgian Pavement, in favor of adopting resolution that Seventy-first street, from Third to Fourth avenue, at the whole expense of the property-owners, be paved with Belgian or trap-block pavement, under such directions as shall be given by the Croton Aqueduct Department, and the accompanying ordinance therefor be adopted.

Which was adopted by the following vote:

Affirmative—Councilmen Healy, Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald, and Joyce—20.

Negative—Councilmen Keenan and Jaques—2.

Report of Committee on Public Health, in favor of adopting resolution that the vacant lots on the south side of Fifty-tenth street, between Sixth and Seventh avenues, be fenced immediately, under the direction of the Street Commissioner, and that the accompanying ordinance therefor be adopted.

Which was adopted by the following vote:

Affirmative—Councilmen Healy, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald, and Joyce—20.

Negative—Councilman Keenan—1.

(The President here resumed the chair.)

Councilman HAGERTY moved that the Board do now adjourn.

Which was lost.

Resolution that the Comptroller be directed to draw his warrant in favor of Frank McElroy for the sum of $130 50, to be in full for printing invitations and programmes for the Russian banquet, as per accompanying bill, and charge the same to the appropriation for the reception of the Russian officers, or any other unexpended appropriation.

Which was laid over.

Report of Committee on Roads, in favor of adopting resolution that the curb and gutter stones be set and reset where necessary, in Third avenue, between Fifty-sixth and Eighty-sixth streets, under the direction of the Street Commissioner, and that the accompanying ordinance therefor be adopted.

Which was adopted by the following vote:

Affirmative—Councilmen Keenan, Riley, Brophy, Hagerty, Hayes, Webster, Ryan, Gross, Repper, Koster, Houghtalin, Haviland, McGrath, Schaefer, Cook, Brandon, Brice, Russell, Fitzgerald, and Joyce—20.

Negative—Councilman Healy—1.

Councilman HEALY moved that the Board do now adjourn.

Which was carried.

Whereupon the PRESIDENT declared that the Board stood adjourned until Thursday, June 2, at 2 o'clock p. m.

JAMES M. SWEENY, Clerk.

REMOVAL OF FAT-BOILING ESTABLISHMENTS.

Report of Committee on Public Health of Board of Aldermen.

IN BOARD OF ALDERMEN, May 30, 1864.

The following report was presented and adopted, and directed to be printed at length in all the Corporation papers. D. T. VALENTINE, Clerk of the Common Council.

The Committee on Public Health, to whom was referred the annexed communication from the City Inspector, in relation to fat-boiling and other establishments of a similar character, recommending that the privilege to carry on such occupations within the city limits be prohibited by ordinance, respectfully

REPORT:

That after several protracted sittings, and the examination of many witnesses, whose testimony was of a very conflicting character, some averring that these establishments are great nuisances, the stench arising therefrom being in the highest degree detrimental to health and destructive to life, while the proprietors of such places, and frequently those residing in the immediate neighborhood thereof, whose business depends, in a great measure, upon the continuance of these establishments, claim that no evils arise from the boiling of fat; on the contrary, that it is productive of health and longevity—those engaged in such occupations living to a great age, and in the continual enjoyment of good health, there can be no doubt that the statements of these interested parties are greatly exaggerated in the hope that the minds of your Committee might be influenced in arriving at a proper conclusion, and thus obtain from the Common Council an undeserved clemency. The large number of witnesses examined and the testimony obtained and carefully noted, establish the fact, that many of these fat-boiling, offal and hide houses are great nuisances. The stench arising from them is intolerable and offensive to the utmost degree; rendering the habitations in their immediate locality utterly untenable, injuring the interests and growth of the property, materially retarding the prosperity of the city and destroying the health and lives of our citizens. The poisonous gases and noxious vapors thrown into the atmosphere from the boiling of decomposed animal matter are inhaled for miles around, having a most deleterious and debilitating effect on the health of all, but more particularly upon persons of delicate physical formation, the aged and infirm, and young children; upon this latter class, the effect is very destructive, so much so, that, from the evidence of competent physicians, it would seem that the preservation of the health and even lives of these little ones was owing to almost miraculous causes, it having been shown that *cholera infantum* and other infantile diseases are superinduced by these causes, and frequently aggravated to such an extent as to be placed beyond the control of human agencies.

If your Committee were to recommend a lenient course, by devising and advising some plan calculated to mitigate the evil complained of, from which the residents of that portion of the city—in the neighborhood of these establishments—are suffering, they would be guilty of a gross neglect of their duties as legislators and guardians of the public health, and would justly merit, as they would no doubt receive, the condemnation of our citizens.

Holding these views, and believing that they would to a great extent be responsible for the existence of maladies growing out of these causes (that they are fruitful causes of disease none can well deny), they are disposed to recommend such action as will entirely rid our city from any further nuisance from such source.

In arriving at their conclusion, they have been actuated solely by a desire to discharge an important public trust, in a proper and satisfactory manner. The result of their labors has convinced your Committee that the source of the evil cannot be reached by an ordinance, inasmuch as the ordinance of 1859, Chap. XIV., Sec. 30, intended to prevent the boiling of fat, the burning of bones, the boiling of offal, and the like, within the city limits, has been productive of no good, notwithstanding that the most energetic efforts have been used by the present and previous City Inspectors to entirely eradicate these causes of complaint. In the early part of the present year, a petition, numerously signed by residents of the upper and western portion of the city, was presented to his Honor the Mayor, calling "attention to certain nuisances existing in our immediate vicinity. One of them is the fat-boiling establishment situated at the foot of West Thirty-ninth street, the smell proceeding from which is intolerable, and injurious to the health of residents in the neighborhood of the same; the family of one of the undersigned, and other persons, have several times been taken sick already in consequence of the odor which they are compelled to inhale from this above-named establishment. Being a nuisance, we therewith respectfully petition your Honor to cause the above-named establishment to be removed, and the nuisance thus abated." The petition thus referred to was placed before this Board by his Honor the Mayor, referred to your Committee, and considered in this connection.

Your Committee are of opinion from the evidence obtained that the establishment complained of by the petitioners in their memorial to the Mayor is one of the worst in the city, and should be discontinued immediately.

The provisions of any ordinance which might be adopted calculated to remedy the evils complained of would necessarily be of such a character as to entirely preclude the carrying on of this class of business within the city limits. Some of these establishments have been in operation for many years, but, owing to the careful, cleanly manner in which they have conducted their business, the quality of fat received and melted, their distant removal from others of the same kind, no serious complaint has ever been made. Others have been and are now engaged in the melting of putrid fat, boiling of offal, the burning of bones, and similar pursuits. These callings must of necessity exist. The only question with your Committee is, should they be allowed to continue within the city limits? They believe that they should not—that the privilege to carry on or engage in such pursuits cannot be allowed, if the health of the city is to form an object of interest and duty. Believing that it is a sacred and imperative duty, imposed alike by humanity and the laws, they are determined to discharge it fairly, impartially, and with a just regard for the rights of all. Prompted by no feelings of personal dislike, or a desire to make invidious distinctions or impose discriminations, governed as we hope by a proper desire to preserve the city from pecuniary loss likely to grow out of a partial, unjust and unlawful system of legislation, and fearful that the exercise of unwarrantable powers by the law-making body of the corporation would beget serious and expensive litigation by the passage of ordinances of an onerous and prescriptive nature, and convinced as they are of the right of every citizen to the free use and exercise of all the privileges conferred upon such, both in person and property, they cannot, nor will they, recommend any course of action calculated to jeopardize, either the interests of the people of this city confided to their care, or the rights of individuals and persons to engage in business pursuits or callings, which, from the immensity of our population, are made necessities; neither can they, nor will they, advise any action with regard to the rights of property held and enjoyed by these individuals which would be calculated to violate those rights, or in any wise impair the privilege and enjoyment of the property which they, by the legitimate pursuit of business, have accumulated. Many of these persons have been to an enormous expense in the purchase of valuable sites, and in the erection of suitable buildings, machinery and apparatus for the carrying on of their business.

If these are to be disregarded and subjected to the whim or caprice of the legislative authorities of our city, and the city itself involved in expensive and protracted litigation in the attempt to carry out enactments or provisions of law, the right to enact and carry out the same being seriously and generally questioned, then would such authorities, instead of setting a salutary and wholesome example, become to use the most charitable terms, ignorant, improvident, and harsh legislators.

In truth, your Committee does not believe that the Common Council possess the power to effectually abate or remove these nuisances.

The authorities and governments of European cities and nations have, by the exercise of arbitrary power, interdicted these employments in populous districts. In France, sanitary legislation is precise and comprehensive, on the subject of nuisances. "All establishments which are adverse to the comfort, health, and safety of the inhabitants are divided into three classes, and the law describes in what manner each is unhealthy and annoying." "Establishments of the first class cannot be allowed in the vicinity of private dwellings, and their erection is only permitted by a decree of the sovereign council." "To this category belong the melting establishments of fat on open fires;" also, "of tripemen and cat-gut manufacturers, and of those in which are prepared animal black, blood manure, lucifer matches, and fulminating compounds." "The reasons for placing these together, as the most dangerous class, are the vitiation of the air by the disengagement of emanations inimical to health, the risk of fire and the intolerable odors which they emit." "Hence, if allowed at all, it is only within the radius of three thousand feet, after long and multiplied formalities," which lack of time and space prevents us from introducing in this place. The position assumed by your Committee, that these establishments are destructive of the life-sustaining properties of the atmosphere by the noxious and poisonous exhalations emanating therefrom, can be sustained by numerous extracts from the proceedings of many Sanitary Conventions held in this country and in Europe. While thus sustained, they feel that they would be exceeding their trust in the proper discharge of their official duties, if they were to recommend the adoption of any plan that did not provide for the complete eradication of these nuisances. And in the opinion of your Committee the Common Council can be the power to accomplish that object, they have concluded to recommend the adoption of a resolution requesting his Honor the Mayor to convene the Board of Health.

The reasons for this course have been to some extent explained in the accompanying views of your Committee. That plained in the accompanying views of your Committee. That body is clothed with full and ample power to remove all nuisances within the city limits—to remove, or cause to be removed, all buildings or tenements dangerous to the public health, to direct all kinds or classes of business at all jeopardizing the health or comfort of our citizens, to abate all establishments productive of disease, or in any way tending to promote or aggravate pestilence, epidemics, or contagious diseases, to prevent the growth or spread thereof; to discontinue, remove, or cause to be removed or discontinued, any thing whatever provocative of disease. This can be done without incurring any legal liability, or involving the Corporation in vexatious and troublesome law suits. No action for damages to business or tenements, or indemnity for loss sustained can be maintained. Free and almost unrestricted power is given it. No body can be clothed with more absolute or supreme authority; it almost equals in absolutism those Governments which act without restriction of law, without regard to the subject, or the privileges conceded thereto, and it is the only body in this city vested with complete and full authority to carry out the law in relation to nuisances. What can be said of a body to whom such rights are given should it neglect to use them in a proper and justly legal manner, in the suppression of pursuits that tend to produce disease and pestilence?

Would it not justly, and with much show of truth, be said, that collusion existed; that the persons constituting it were unfit for the position; that they were actuated and governed by improper motives; by a love of ease, rather than of arduous labor, in the strict observance of their duties? Indeed, these are the most charitable constructions and remarks that could be suggested by their delinquent course. It is not sufficient that a Committee of the Common Council should convene, examine witnesses, obtain and collate testimony; they should also submit for your action such suggestions and recommendations as would seem best fitted to meet the exigencies of the occasion. This has been the course pursued by your Committee. They have acted with the view of accomplishing permanent and much-needed reforms in the administration of the sanitary affairs of our great city. They have fully examined the cause of complaint, sought to obtain such knowledge as seemed best calculated to guide them to a thorough and complete understanding of the subject committed to their care. Believing that you have carefully noted the close attention given to this matter by the Committee, and hoping that the action they propose will meet with your unanimous and unqualified support, they recommend the following resolution, and respectfully ask the adoption thereof:

Resolved, That his Honor the Mayor be and he hereby is respectfully requested to convene the Board of Health, at the earliest possible moment, for the purpose of receiving such testimony as has been taken by the Committee on Public Health of this Board in relation to the nuisance arising from the melting of fat and the like within the city limits, and for the purpose of taking prompt and speedy action for removing or discontinuing the same. PETER MASTERSON,

JOHN D. OTTIWELL, JACOB M. LONG,

Committee on Public Health.

Proposals

OFFICE OF COMMISSARY OF SUBSISTENCE, No. 4 State-st., NEW-YORK, May 26, 1864.

ARMY SUPPLIES.—SEALED PROPOSALS (in Duplicate) will be received by the undersigned until 4 o'clock p. m. on WEDNESDAY, the 1st of June, for supplying, for the use of the United States Army, SUBSISTENCE STORES, to be delivered in New-York or Brooklyn, as follows, viz:

1,000 barrels NEW MESS or EXTRA MESS BEEF, in full-hooped oak barrels, with two iron hoops; bidders will state the brands, and will exhibit samples when practicable.

The Beef to be received at such Inspection-Yards as shall be agreed to by the undersigned.

200,000 pounds first quality THOROUGHLY SMOKED NEW BACON SIDES.

The bacon to be delivered in bulk for inspection and packing at such points in the city of New-York as may be designated.

1,000,000 pounds of first-quality PILOT BREAD, to be made of good sound Extra Ohio or other equally good *side-branded* flour; crackers to be thoroughly baked and perfectly dried before being packed, and in size, thickness, openness, &c., to conform to standard heretofore established; to be packed in boxes of 50 pounds bread to each box; boxes to be made of fully seasoned wood, of such kinds as will impart no taste or odor to the bread; bottom and top of single pieces, or, of two pieces, tongued and grooved together. Boxes to be strapped with light straps of suitable wood. The Flour and Bread will also be examined by the Inspector, who will reject all that in the quality of the flour, or in any other respect, is inferior to the standard samples. Bidders to state the location of their bakeries, when they can begin their deliveries, and how much bread they can deliver daily.

100,000 pounds of RICE, in clean, good, stout oak barrels, *like samples to be seen at this office.*

100,000 pounds first-quality white flint-corn HOMINY, size Nos. 3 and 4, in well-coopered, head-lined flour barrels.

35,000 pounds carefully selected TEA, in original packages, ½ Green, ½ Souchong; packages to be matted, well strapped and in perfect order. Cargo and chop marks to be stated on the proposals. Each sample must be marked in full with the name of the party offering, the cargo and chop mark, price and quantity offered.

Bidders are requested to offer not more than two samples of each kind of Tea.

600,000 pounds of clean, dry, BROWN SUGAR; barrels to be new, and of the best in use for the purpose, and to be full head-lined.

40,000 pounds CRUSHED SUGAR; barrels as above.

20,000 GALLONS of the best quality of PURE VINEGAR, made only from Cider or Whisky, free from all foreign acids and injurious substances, and of a uniform strength, the Whisky Vinegar taking thirty-five grains bicarbonate of potash to neutralize one ounce troy; the Cider Vinegar as near the same strength as may be; to be put up in half barrels of 22 gallons capacity, like samples at this office. Each proposal must state distinctly the kind and quality of Vinegar offered, and the kind of package.

200,000 pounds good hard SOAP, to be made by boiling an oily from good materials, free from clay, soluble glass, or other adulteration, to have no unpleasant odor, to contain not more than twenty-five per cent of water, and to be well dried before being packed.

20,000 pounds PEPPER (Black). Bidders will please state the variety of pepper, as Sumatra, Singapore, Penang, &c., furnishing samples, and also state the price per pound at which they will have it ground, put up in four-ounce papers, and packed in boxes containing twenty-five pounds.

112,10¾ gallons of RECTIFIED WHISKY, to be full first-proof, according to the United States Custom-House standard. Barrels to be of good seasoned white-oak staves and heads; to have twelve wood and four strong iron hoops; heads and iron hoops painted. Returns required from a Gauger and Inspector to be named by the undersigned.

The goods to be furnished as soon as practicable; bidders are requested to state the time when they can deliver.

Separate proposals, in *duplicate*, must be made for each article enumerated, and bidders may propose for the whole or any part of each.

Samples of all the articles, except the meats, must be delivered with the proposals, and referred to therein. Samples of Rice, Hominy, Tea, Pepper, and Sugar must be in neat boxes of card board or tin, fully labeled, *and not in paper parcels.*

A printed copy of this advertisement must be attached to each proposal, and the proposals must be specific in complying precisely with all the terms. Each bid, to have consideration, must contain the written guaranty of two responsible names, as follows:

"We, the undersigned, hereby guaranty that should all or any part of the above bid be accepted it shall be duly fulfilled according to its true purport and conditions; also, that a written contract, with bonds to the amount of one-fourth the value of the stores proposed to be furnished, shall be executed, if required."

The seller's name, place of business, and the date of purchase, as well as the name of contents, with gross, tare, and net weights, and shipping marks to be hereafter designated, must be plainly marked on every package. All other old marks must be obliterated. All boxes to be strapped with green hickory straps.

Certificates of inspection by professional packers or inspectors, *other than the party furnishing the provisions*, will be required for all the meats, certifying on the part of the seller their present quality and condition and the immediately preceding inspection. The meats will also be examined and passed upon by Robert P. Getty, Inspector on the part of the United States.

All the stores will be carefully inspected before their delivery, and compared with the retained samples. Returns of weights, signed by a professional Public Weigher, must be furnished.

Payment, as heretofore, to be made in such funds as may be furnished by the United States.

Contractors are expected to hold their goods, without expense to the United States, until required for shipment.

Blanks for Proposals will be furnished at this Office, which must be inclosed in one envelope addressed to the undersigned, and indorsed "Proposals for Subsistence Stores."

H. F. CLARKE, Col., A. D. C. and C. S.

OFFICE OF ARMY CLOTHING AND EQUIPAGE, No. 502 BROADWAY, NEW-YORK, May 27, 1864.

ARMY SUPPLIES.—SEALED PROPOSALS will be received at this office until 12 m. on TUESDAY, the 7th of June next, for furnishing by contract at the Depot of Army Clothing and Equipage in New-York City:

Infantry Trousers,
Unlined Blouses,
Felted Boosters,
Sewed Boosters,
Pegged Boots,
Sewed Boots,
Stockings,
Felling Axes.

Samples of which can be seen at this office. Bidders will state the quantity they wish to furnish, and how soon they can complete the delivery of the quantity they bid for.

They will submit with their proposals a sample of the article they propose to furnish.

A proper guaranty must accompany all bids for the faithful performance of a contract.

The United States reserves the right to reject any part or the whole of the bids, as may be deemed for the interest of the service.

Proposals should be indorsed "Proposals for furnishing" (here insert the name of the articles bid for), and addressed to Lieut.-Col. D. H. VINTON, Dep. Q'mr-Gen. U. S. A.

OFFICE OF ARMY CLOTHING AND EQUIPAGE, No. 502 Broadway, New-York, May 30, 1864.

ARMY SUPPLIES—SEALED PROPOSALS will be received at this Office until 12 m. on the 7th of June next, for furnishing by contract at the Depot of Army Clothing and Equipage in this city:

FOUR-MULE WAGON-HARNESS, complete specifications for which can be seen at this office.

Bidders will state the quantity they wish to supply, and the shortest time in which they can deliver it.

All proposals must be accompanied by a proper guaranty for the faithful performance of a contract.

The United States reserves the right to reject all bids deemed objectionable.

Proposals should be indorsed "Proposals for furnishing Harness," and addressed to

Lieut.-Col. D. H. VINTON, D. Q. M. Gen'l, U. S. A.

ARMY CLOTHING AND EQUIPAGE OFFICE, [No. 124.] CINCINNATI, O., May 25, 1864.

PROPOSALS are invited by the undersigned until FRIDAY, June 10, 1864, at 2 o'clock p. m., for furnishing this Department (by contract) with

50,000 SHELTER TENTS, more or less, to be delivered within (60) sixty days from date, like sample made at U. S. Tent Manufactory in this city.

KNAPSACKS—Army Standard.

CANTEENS—Army standard.

AX HELVES—like U. S. samples Nos. 1 and 2 (the former preferred.)

Samples of which may be seen at the Office of Clothing and Equipage in this city.

To be delivered free of charge at the U. S. Inspection Warehouse in this city, in good new packages, with the name of the party furnishing, the kind and quantity of goods distinctly marked on each article and package.

Parties offering goods must distinctly state in their bids the quantity they propose to furnish, the price, and the time of delivery.

Samples when submitted, must be marked and numbered to correspond with the proposal, and the parties thereto must guarantee that the goods shall be in every respect equal to Army Standard; otherwise, the proposal will not be considered.

A guaranty, signed by two responsible persons, must accompany each bid, guaranteeing that the bidder will supply the articles awarded to him under his proposal.

Bids will be opened on FRIDAY, June 10, 1864, at 2 o'clock p. m., at this Office, and bidders are requested to be present.

Awards will be made on SATURDAY, June 11, 1864.