MORE ABOUT THE STREETS.

WITNESS MOODY CONCLUDING HIS TESTIMONY BEFORE THE MAYOR.

Counsel Again in Doubt as to Mr. Andrews's Precise Position in Connection with the Hearing—The Mayor's Witness Cross-Examined as to How he Was Paid.

Mr. Willard Bartlett and Mr. Root were properly in their places at the Mayor's office yesterday, to act on behalf of the hearing in the matter of the complaints against three of the Police Commissioners. Mr. Vanderpoel was late. Mr. Bliss was not present, and the others agreed to go on without him.

Mr. Root requested the Mayor to permit the accused Commissioners to have access to the testimony taken before the Assembly Committee on Cities in April, 1880, a manuscript copy of which he understood was in the possession of the Mayor. He suggested that it might save the city a good deal of expense in procuring testimony for the defence. He also requested the Mayor to call upon the proper department of the city Government for information as to the steps which have been taken to enforce the corporation ordinances during the period from May 20, 1879, to April 2, 1880. He had been informed that within that period the police had reported 248,808 violations of corporation ordinances, 119,557 of which were reported in the first three months of 1880, and that the most of those violations were entirely without action. He made the same request with regard to the violations of sanitary ordinances.

Mr. Andrews said that the object of the defense was evidently to slur the Mayor. There was no evidence that the Mayor had the report of the committee called for, or that he was bound to produce it if he had it. As to the information required from the departments, all that was necessary was for the defence to subpœna all the city officials whose testimony they desired. As to the violation of sanitary ordinances, the Police Commissioners could learn the number reported by consulting their own books, for the law specially charged them with the duty of making complaints.

Mr. Root replied that he did not understand whether Mr. Andrews was answering his requests or advising the Mayor not to grant them. If the former, he would say that the requests were not addressed to Mr. Andrews. If Mr. Andrews was merely advising the Mayor not to grant the requests, he challenged any one to find anything in the argument for the requests that was a slur upon the Mayor. He asked whether it was necessary that the counsel for the defence, in presenting a respectful request, should be charged with slurring the Mayor. If the Mayor had not possession of the papers asked for, it was a simple thing to say so. As to the other information asked for, the Mayor could obtain it much easier than the Commissioners.

Mayor Grace said that he would take the matter into consideration and decide on it hereafter.

PROCEEDING WITH THE TESTIMONY.

Mr. Andrews then called upon the witness J. G. Moody to continue his testimony as to the condition of the streets inspected by him. Mr. Moody began to read from his memoranda the record of his investigations in the Tenth Precinct. He found piles of ashes, mud, garbage, and dirt in Division, Bayard, Canal, Hester, Broome, Delancey, Rivington, Stanton, Houston and other streets on the east side. He found dirt on all sides of Grammar School 42. His report was made to the Mayor on March 9. His investigations in the Eleventh Precinct disclosed ashes, garbage, and mud in all the streets from Fourteenth street to Houston, on the east side, and parts of the avenues. The avenues in some places were in fair condition.

Mr. Root took advantage of a pause in the testimony to call attention to the footings of the number of complaints made by the police of violation of corporation ordinances in the time embraced in the Mayor's charges against the Police Commissioners.

Mr. Andrews—You have no right to interject that. You should hand it to the reporters at the close of the proceedings.

Mr. Root—I do not see why I have not a right to state any request to the Mayor. Does the gentleman fear that there will be charges against the Corporation Counsel's office?

Mr. Andrews—I am afraid of nothing.

Mr. Root—When charges are brought against the Corporation Counsel it will be time to interpose these technical objections.

Mr. Bartlett—I will suggest that during the proceedings my learned friend, Mr. Andrews, was very desirous that Mr. Sherwood, the witness, should speak louder, not that your Honor or he should hear, but that the reporters should hear. It is a very friendly suggestion to come from him that we are now reading figures for the benefit of the reporters.

Mr. Andrews—It may be novel, but it is true.

Mr. Moody proceeded with his record by detailing the conditions of the streets of the district bounded by Fourteenth street, Fourth avenue, Forty-second street, and Seventh avenue. He found one pile of dirt 150 feet long in Thirty-fourth street in front of the shagoque. He gave the numbers of many houses in front of which he found dishes and garbage. The next district examined was that bounded by Seventh avenue, North River, Fourteenth, and Twenty-seventh streets. He found Tenth avenue in a bad condition, with piles of dirt; the gutters were blocked. He found much dirt in other streets of this district. Mr. Moody also found the district bounded by Seventh avenue, North River, Fourteenth and Forty-second streets very dirty. He found one the four feet deep and thirty feet long. In the district bounded by Sixth avenue, North River, Forty-second and Fifty-ninth streets Mr. Moody found much the same condition as in other precincts. Mr. Moody next read reports of a second inspection of Park, Greenwich, and other streets, where he found no improvement over the condition of things that he saw on his first visit.

The Mayor left the room for a moment, whereupon Mr. Bartlett remarked that Mr. Moody was going on because one member of the court (looking at Mr. Andrews) was present.

Mr. Moody continued his record after recess, giving particulars of his second visit to the Fifth Precinct. He found no improvement in many places, many piles of dirt, many barrels of ashes not removed. In one place he found a pile three feet wide by twenty feet long on the sidewalk. On a later visit he found Greenwich and Washington streets clean. Thompson and Sullivan streets were dirty only in their length. Ridge, Attorney, and Ludlow streets, he said, were very dirty. He noticed a pile of dirt in Counties slip that had been accumulating all winter.

Mr. Vanderpoel—Strike out that last remark. He cannot know that.

Mayor Grace—Strike that out.

Mr. Moody—It is immaterial.

Mr. Bartlett—Strike that out also.

Mr. Moody your continued reading of his observations on a third visit to the First Precinct. In some places there had been improvement, but in others there had not.

WITNESS MOODY CROSS-EXAMINED.

On cross-examination by Mr. Vanderpoel, Mr. Moody testified that he was employed in the Mayor's office since February last; that he was employed in the Police Commissioners' office first under Mr. Matheson and then under Mr. Voorhis, at a salary of $900 a year; he is a waterman and was assigned to clerical service and a variety of duties. He was removed, when Mr. Voorhis left, by Commissioner Nichols. After that he was employed at the National Democratic Headquarters. He was engaged last February by Mr. Irvin, the Mayor's secretary, and he made reports to him. He could not tell without referring to his memoranda whether the houses mentioned as having only barrels of ashes and dirt in front of them were tenement houses. He did not report to the Board of Public Works the existence of the foregoing piles and other encumbrances that he saw in the streets; nor did he report the dead animals to the Board of Health. He did not think much building or repairing of buildings was going on in the city. He could not tell whether he was in the employ of the city. He thought he was employed by Mr. Irvin, and the understanding was that he was to get $4 a day. He had received that since February, he considered the employment terminated last Saturday. He had received notice that the employment was not to continue, as the Commissioners were satisfied with the work they were doing. He said he had not assisted in getting up the charges against the Police Commissioners.

Mr. George Bliss, who had entered the room as the cross-examination began, then questioned the witness as follows:

Q—You said that you went on your own motion to the Mayor's office to make these examinations? A—I think on March 25.

Q—Had you been employed by the Mayor before? A—I have been employed by the Mayor since February last.

Q—Had you been employed by him under any other name than that of Moody? A—No, sir.

Q—Had you been employed by the Mayor under any other name than that of Moody? A—No, sir.

Q—Had you been employed by the Mayor under any other name than that of Moody since March 25? A—No, sir.

Q—Had you been employed by the Mayor under any other name than that of Moody since you made your first report? A—I could not say.

Q—Had you been employed by the Mayor every day since you made your first report? A—I could not say.

Q—Had you been employed by the Mayor every day since you made your first report, to the best of your knowledge? A—I have been employed by the Mayor since I made my first report