THE COURTS.

THE SCANNELL-DONOHOE TRIAL.

Slow Progress of the Case—Important Medical Testimony.

BUSINESS IN THE OTHER COURTS.

Summaries—New Rules for the United States Circuit Court—The Criminal Term—The Estate of the Late Paran Stevens in Litigation—Decisions.

The trial of John Scannell for the shooting of Thomas Donohoe was resumed yesterday in the Court of Oyer and Terminer, before Judge Brady. The evidence was principally confined to medical experts. Dr. Echeverria gave important testimony in sustaining the plea of insanity set up by the counsel for the defence. The case stands adjourned till this morning.

Judge Benedict yesterday promulgated a series of important rules for the regulation of the criminal terms of the United States Circuit Court of this district. The rules (which are inserted in our law column) will tend greatly to facilitate the despatch of business and clear the calendar of criminal cases as they arise.

John Somers, No. 127 Mott street, was yesterday held by Commissioner Shields to await the action of the Grand Jury on a charge of having manufactured and sold cigars without a license. It is alleged against the accused that a quantity of tobacco, packed up in milk cans, was found on his premises.

Yesterday Judge Blatchford rendered his decision in the case of William Anderson vs. Oscar Strasberger, assignee in bankruptcy of George F. Pfeiffer. His Honor holds that the plaintiff is entitled to a decree for $2,650, with interest from the date of the commencement of the suit, the value of certain goods, less a credit of $875.

THE SCANNELL-DONOHOE TRIAL.

Slow Progress of the Case—Important Medical Testimony—Dr. Echeverria on the Stand.

The trial of John Scannell for the shooting of Thomas Donohoe, in the poolroom, corner of Twenty-eighth street and Broadway, on the evening of the 2nd of November last, was resumed yesterday, in the Court of Oyer and Terminer, before Judge Brady. The theory of the defence is entirely based upon the insanity of the prisoner. However this may result it is admitted that the course taken was the only one open to prisoner's counsel that promised a ray of hope for their unfortunate client. The preparation of the case in its essential feature was entrusted to Mr. Howe, who specially examines the medical experts. The principal medical witness examined yesterday was Dr. Echeverria, whose direct testimony occupied two hours, when the Court adjourned till this morning, when the Doctor will be subjected to a rigid cross-examination by District Attorney Phelps.

The prisoner's wife, mother, sister and brother were, as usual, in attendance, anxious and deeply-interested witnesses of the proceedings.

DR. SHINE RECALLED.

The first witness called was Dr. Shine, whose cross-examination was resumed.

Witness went over pretty much the whole ground traversed in his direct examination. He testified that the prisoner had all the general symptoms of insanity, the principal and most remarkable being the illusions and hallucination under which he labored; other indications were moroseness, loss of flesh, taciturnity, his failure to recognize friends when he met them; a person may get into paroxysms of rage at the sight of a person whom they hate or who has injured them and still be sane; an insane man will exhibit these manifestations even when the party so disliked is not present; the paroxysm in the case of an insane person would be aggravated and would be followed by prostration and depression; insane people may commit any crime and a few seconds after it could not be detected in their countenance or conduct that they had done anything unusual; when I met the prisoner at Long Branch his conduct was such that Mr. Burroughs ordered him to leave the Continental Hotel.

Re-direct—At the hospital, the day after the shooting of Florence, John Scanneil, the prisoner, told me the reason of their going to Donohoe's saloon was to break up a gang of repeaters who had been brought into the ward, and who, they heard, were in Donohoe's back room; there was a conflict of authority between Coroners Flynn and Rollins on holding an inquest over the body of Florence Scannell; Rollins said he had taken the post-mortem and Flynn that he had taken the ante-mortem examination; Rollins then withdrew; a lunatic can reason, and very frequently his conclusions will be just from the premises assumed by him; disease of the mind may be caused by strong emotion; insanity is necessarily attended with delusion, but may exist without the apparent presence of the delusion in the person; lunatics may have an apparent adequate motive for committing homicide, and may act from cause; lunatics, cherishing revenge, and contemplating murder, very generally prepare themselves, and take all the precaution a sane person would do.

DR. NELSON PLACE,

of No. 307 East Broadway, examined by Mr. Howe, testified of the prisoner talking of seeing his brother; witness told him to banish these illusions; he said he could not do so; once, in witness's office, he jumped up excited, ran to a glass case, and said he saw his brother in it; frequently saw the prisoner laboring under such delusions; his temperature was quite low, and his pulse at sixty-six; he complained of sleeplessness and want of appetite; he was pale and emaciated; a few days after I saw him act in a very violent manner; from all the symptoms that I noticed in him I would not consider him sane—these symptoms indicated disease of the brain; a passive congestion of the brain; I have seen him in paroxysms a great many times; they would last about twenty minutes.

CROSS-EXAMINED

by District Attorney Phelps—When the paroxysms would pass away he would become flushed in the face and greatly exhausted; the exhaustion would again be followed by nervous exaltation and the recurrence of great strength; when he would be calm and rational apparently, he would say he saw his brother's face; he would then moan and shed tears, walk up and down, and sometimes sit down on a chair; sometimes he would indulge in a hysterical laugh; when he failed away so much, physically, I recommended him to take a milk punch occasionally; the first time I was called upon to see him, I considered him a man of insane temperament, and suffering from a sort of melancholia; when I came to know him better, I became convinced that he was insane; came to this conclusion from his general appearance and conduct; heard him wish he was dead, and the whole family were dead, because his brother was; never heard him make any self-accusations; I looked upon his paroxysms as acute mania.

This concluded the testimony of the witness, and the Court took a recess.

After Recess.

The first witness called to the stand when the Court reassembled was

CHARLES RITZMAN,

He testified that he was a clerk in a gun store; he was present at the inquest on Florence Scannell, and saw John Scannell's pistol; it was similar to the weapon sold by witness to the prisoner; Mr. Beach requested the witness to exhibit a pistol of the size of the chambers of John Scannell's pistol, to prove that it differed in dimension from the ball extracted from the body of Florence, but there being manifested some opposition to that species of proof, the witness was permitted to withdraw.

DR. GONZALES ECHEVERRIA ON THE STAND,

an expert on insanity and well known authority on the same, having devoted years of study to that species of disease, was next called, and examined by Mr. Howe. After a few preliminary questions put to the witness, he went into an elaborate exposé of the causes which are liable to lead to aberration of the mind, and of the symptoms attendant upon insanity. He stated the opinions of many eminent modern writers on medical jurisprudence in substantiation of the opinions and statements advanced by himself. He said one of the first indications of insanity was a change in the features; the lips become purple, the eyes set and glassy, and the face assumes a dull, stupid look, and there also seems to be a general deficiency in the vitality of the individual; the acts of a madman are not always without motive; a lunatic has always a design for what he does; in impulsive insanity the homicidal propensity is almost always active; homicidal insanity will not exist of itself, it is always attended with all the other evidences of insanity to which reference has been so frequently made; it is always necessary to take into consideration when examining into the condition of a man who has committed homicide, and which act might be attributed to monomania—to inquire into the previous life of the prisoner—whether any changes—physical or mental changes—had taken place—these changes being indicative of insanity—before the person should be pronounced insane.

Q. You have heard all the evidence for the defence? A. Yes, sir.

Q. Assuming that all the symptoms and indications testified to were true, in your opinion was the prisoner sane at the time of his firing the fatal shot? A. No, sir; I would not pronounce upon the sanity or insanity of a homicide, taking into consideration the circumstances of the homicide only; I should go back to his former life and habits and trace him through the various changes, if such had occurred, indicating insanity, before I would pronounce an opinion upon him; the mere act of homicide itself would be the last consideration with me in coming to a conclusion; in this case, I believe the prisoner was decidedly insane when he committed the homicide.

Q. Can you distinguish between an act perpetrated in extreme fury or passion, from an act the result of insanity? A. That is a difficult question; the previous indications of insanity must always be considered and kept in view in determining the character of the act, whether it was the act of an insane man or the act of a sane man actuated by sudden passion or frenzy; the precaution of throwing away the fatal weapon, or the desire to flee and escape from the results of the act, would not change my mind as to the insanity of the prisoner based upon his antecedents and the indications he showed of previous insanity.

The hypothetical question put to a previous medical witness was again put by Mr. Howe to Dr. Echeverria, who in reply said, "I think the prisoner was insane.

The Court then adjourned.

BUSINESS IN THE OTHER COURTS.

UNITED STATES CIRCUIT COURT.

Promulgation of a New Set of Rules by Judge Benedict.

The following rules in relation to the criminal terms of the United States Circuit Court for this district, were filed yesterday by Judge Benedict:—

In order to facilitate the despatch of business at the criminal terms of the Circuit Court of the United States for the Southern district of New York, the following calendar rules are adopted for these terms:—

RULE 1.—Four days prior to the commencement of each criminal term the Clerk of the Court shall prepare a calendar of all the causes which shall have been designated by the District Attorney in a written notice, as causes which the government is ready to try at said term. The causes will be arranged upon the calendar in the order designated in the notice of the District Attorney, and no cause not so designated shall be placed upon the calendar, provided that indictments found after the commencement of any criminal term may be placed upon the calendar of such term upon special order of the Judge.

RULE 2.—At the opening of each criminal term all the causes upon the calendar for that term will be called for the purpose of enabling counsel to fix upon days of the term on which the various causes are to be tried. In case of failure of counsel in any cause to agree upon a day of trial, the day will be fixed by the Court.

RULE 3.—When a day has been assigned for the trial of any cause, such cause will not thereafter be postponed for the term on the application of a defendant except upon showing facts to have arisen since the assignment of the cause which entitle the defendant to postpone the trial for the term.

RULE 4.—Every cause placed upon the calendar of any term upon the request of the District Attorney which shall not be tried during such term for either of the following reasons, to wit, because of the failure of the District Attorney to apply to have a day in such term assigned for the trial, or because of the omission of the District Attorney to move the trial at the time when the cause is called for trial, shall be stricken off the calendar as for want of prosecution, and unless otherwise specially ordered, shall not thereafter be placed upon any calendar except by permission of the Judge obtained on notice to the defendant or his attorney, and upon showing proper reasons for the failure to try the cause when upon the calendar.

RULE 5.—All assigned causes which are not reached for trial during the term of their assignment shall, without further notice to the Clerk, be placed at the head of the calendar of the next criminal term in the order of their assignment, and shall stand as causes assigned in that order, to be tried upon the first day of the said next term.

RULE 6.—Motions to quash indictments in any cause upon the calendar of any term, must be made upon the opening day of the term, unless otherwise ordered.

RULE 7.—The Clerk will, for the information of the Court, attach to each calendar a list of the names of all persons under indictment in the Court who are in custody.

Let the above rules be entered upon the minutes and notice thereof given to the District Attorney.

CHARLES L. BENEDICT.

NEW YORK, Feb. 26, 1873.

The criminal term of the above-named Court will be held by Judge Benedict on the 12th of March, and thereafter every alternate month, before the same Judge.

SUPREME COURT—SPECIAL TERM.

Estate of the Late Paran Stevens.

Before Judge Van Brunt.

In September last Paran Stevens died in this city. As is well known, he was one of the largest hotel proprietors in this country, being a large owner in the Fifth Avenue Hotel, as well as the Continental Hotel in Philadelphia and Tremont and Revere houses in Boston. In addition to his various hotel interests he was also a large owner of real estate, principally in this city and Newport, R. I. He devised all his property to his wife and three children. As usual in such cases, the provisions of the will could not be carried out, it seems, without its being brought before the Courts and furnishing a good job for the lawyers. The matter was brought yesterday into this Court, though with a friendly spirit all around, to obtain a judicial interpretation of the will and to determine whether the executors have the power to sell the property at once with the view to a division of the same among the devisees, or whether the hotel copartnerships, as, for instance, that of the Fifth Avenue Hotel, having ten years yet to run, shall be continued. After a lengthy argument by the various counsel—Messrs. John E. Parsons, J. H. V. Arnold, William W. Hoppin, Jr., ex-Judge Emott and Albert Stickney—the Court took the papers.

Decisions.

Turner vs. Kine.—Findings settled.

Vose vs. The Florida Railroad Company et al. See memorandum of decision.

SUPREME COURT—CHAMBERS.

Decisions.

By Judge Harden.

Philip Jacob Spies vs. Catharine Spies.—Report of referee confirmed and judgment of divorce granted.

Edward Evans vs. Garrett Q. Brokaw.—Order of arrest set aside with $10 costs, upon condition, however, that the defendant first file a stipulation not to bring any action against the plaintiff by reason of or founded upon the account. When such stipulation has been filed with the Clerk of the Court an order, as aforesaid, may be entered.

Sichel vs. Haas et al.—Order of referee must stand. See memorandum.

By Judge Davis.

Welsh et al vs. Clews et al.—Order settled.

P. C. Hughson vs. Henry Bell.—The plaintiff may enter or order that defendant deliver the horses, truck, harness (constituting the team), to the receiver in payment to him of $250, &c.

James F. Hind vs. Charles S. Bowles.—Motion granted, with costs. See opinion.

Henry C. Leet et al. vs. Harriet E. Marsh et al.—Motion denied, without costs.

Elisha A. Packer et al. vs. William C. Roome et al.—Motion denied, with $10 costs of opposing same.

SUPERIOR COURT—SPECIAL TERM.

Verdicts Set Aside and New Trials Ordered.

Before Judge Freedman.

Two verdicts were set aside yesterday in this Court and a new trial granted in each case. The reasons in each case were exactly opposite; one that the verdict—both were suits for damages—gave too small a sum, and the other that the sum awarded was excessive. In the first case Edward Gough had his leg broken and was laid up nine weeks on account of injuries from a pile of staves falling upon him, his doctor's bill alone being $500. He sued the owners of the staves and was given $125 damages. Commenting upon this result in a written opinion the Judge remarks as to the verdict that it is "not only grossly inadequate in itself, but contrary to the evidence." The other case was a seizure of machinery used for manufacturing paper boxes. In this case the verdict for damages was $1,018 29. Upon this the Judge observed that "The verdict is excessive and must be set aside." And so runs justice, or, rather, so run people after justice, in the Courts.

Decisions.

White et al. vs. Talmage.—Order granted amending previous order.

Weinz vs. O'Brien, Sheriff.—Order denying motion.

Petrokowsky vs. Petrokowsky.—Order of reference.

Ryan et al. vs. Atlantic Mutual Insurance Company et al.—Order for leave to amend complaint.

Bates et al. vs. Putnam.—Motion granted so far as to restrain defendant from using any of the labels, &c., of plaintiff. No costs. Order to be settled on motion.

Turnure vs. Hohenthal.—Plaintiff's exceptions sustained; new trial granted, with costs to plaintiff to abide event.

Davis et al. vs. Pearsall et al.—Judgment for plaintiff on demurrer, with leave to defendants to withdraw counter claim on payment of costs. See opinion.

Lough vs. Romaine et al.—Verdict set aside and new trial ordered. See opinion.

Schnider vs McCabe et al.—Verdict set aside and new trial ordered, with costs to defendants to abide event. See opinion.

Henderson vs. Colly.—Order granted.

COURT OF COMMON PLEAS—SPECIAL TERM.

Decision.

By Judge J. F. Daly.

Kling vs. Disch.—Case settled in accordance with stipulations.

COURT OF SPECIAL SESSIONS.

The Devotion of a Gambler's Wife—Her Unsuccessful Attempt to Prosecute the Winner of His Earnings.

Before Judges Coulter, Cox and Shandley.

William Parsons was charged by Mrs. Anna Logan with winning $30 from her husband at a game called *rouge et noir* in a place alleged to be kept by the defendant at 233 South Fifth avenue. The complainant was called to the stand and testified that she went in there on the 17th of February and saw her husband buy $30 worth of checks from a man named Gus McGill, who was "dealing" the game.

Counsel for the defence—Did you see William Parsons there?

Mrs. Logan—No, but I have seen him going in and out there; I know he owns the place and pays rent for it; my husband goes in there, and spends all his money there.

Judge Shandley—Why ain't your husband here?

Mrs. Logan—Because the day I went in there two or three of the fellows set upon him and beat him, and he has not been out of bed since.

Counsel—How do you know it is a game called "red and black?"

Mrs. Logan—Because we had the same board in our house, and my husband told me what it was.

Counsel—Are you in business, Mrs. Logan?

Mrs. Logan—Yes, sir; my husband and I are in the oyster business at 235 South Fifth avenue.

Counsel—Is Mr. Parsons a customer of yours?

Witness—Yes, and he owes us $90; but we cannot get a cent out of him, and my husband goes in there, thinking to get some of his money out of the game.

Counsel here addressed the Court at length, claiming that the complaint did not specify Parsons as the owner of the place and therefore demanded his acquittal.

Judge Shandley (after some consultation with his *confrères*)—In the opinion of this Court, there is no doubt that the place is a notorious one, but the evidence against Parsons is not sufficient to hold him. He is therefore discharged.

Stealing from Her Brother.

A young girl named Adeline Finnigan, about sixteen years of age, was accused by her brother, Michael Finnigan, of stealing $18 from him. When asked by Judge Shandley what proof he had, he testified that at the time it was taken there was nobody in the room but herself, and that night she was followed and found in the Bowery Theatre, in company with another girl, about eleven o'clock. Part of the money was found in her possession, and she admitted in the station house having taken $3. During the time her brother was testifying Adeline was laughing and winking at the prisoners in the box. The brother, continuing, told the magistrate that the family had a great deal of trouble with her; that they had placed her in the House of the Good Shepherd, but she carried on to such an extent that they were compelled to dismiss her.

Judge Shandley (to Adeline)—What have you to say for yourself?

Adeline (with a saucy toss of the head—I only took $3.

Judge Shandley—Young woman, your brother gives you a very bad reputation. I shall send you to the House of Refuge.

Disposing of a Refractory Boy.

George Halen, a very good-looking boy of about fourteen, was placed at the bar charged with stealing a razor from Gustav Haag. The boy pleaded guilty, but the complainant was reluctant to press the charge. The father of the boy, however, a respectable-looking man, came forward and stated that the boy had several times run away from home and been a source of great trouble. He wanted him to be sent some place where he would be disciplined. Sentence was suspended and the father took the lad before Justice Hogan, who consigned him to the schoolship Mercury. The father thereupon became suddenly affected and showed considerable emotion at parting.

After this little episode a number of assault and battery cases, wives being complainants, were called up. They were mostly unwilling to prosecute their spouses, who were accordingly discharged.

JEFFERSON MARKET POLICE COURT.

The Raid in Greene Street.

Twenty-seven women, arrested by the police under the direction of Captain McCullough, of the Eighth precinct, during the raid on the notorious houses in Greene street Wednesday evening, were arraigned before Justice Cox, at Jefferson Market, yesterday. The keepers of the houses were held in the sum of $500 to answer. The others were discharged.

COURT CALENDARS—THIS DAY.

COURT OF COMMON PLEAS—TRIAL TERM—Part 1—Held by Judge Loew.—Adjourned for the term. Part 2—Held by Judge J. F. Daly.—Nos. 1957, 2014, 2026, 2028, 2029, 2030, 2031, 2032, 2033, 2035, 2036, 2037, 2038, 2040, 2041.

COURT OF COMMON PLEAS—EQUITY TERM—Held by Judge C. P. Daly.—Adjourned to Tuesday, March 18, 1873.

SUPREME COURT—CIRCUIT—TRIAL TERM—Part 2—Held by Judge Barrett—Short causes.—Nos. 1438, 2094, 1190, 2185, 1794, 1800, 2056, 2148, 2178, 1326, 1424, 1466, 1754, 1992.

SUPREME COURT—SPECIAL TERM—Held by Judge Van Brunt.—Case on.

SUPREME COURT—CHAMBERS—Held by Judge Harden.—Nos. 37, 38, 58, 99, 101, 177, 187, 191, 211, 212, 228, 231, 238, 260, 264, 265, 266, 272, 275, 276, 277, 278.

PREPARING TO HONOR THE NEW PRELATE.

Important Clerical Conclave in Newark Yesterday—Seventy Clergymen Present—Extensive Arrangements for the Consecration of Bishop Corrigan—The Archbishop to Officiate—Gifts for the Distinguished Churchman.

As the days wear on and the time approaches when the bulls confirming Dr. Corrigan's appointment as Bishop of the Diocese of Newark are expected to arrive, the anxiety on the matter increases in the Catholic mind of New Jersey. As a matter of course the clergy of the diocese are quickened with expectancy, and yesterday to the number of about seventy they assembled from all parts of the State at the Catholic Institute in Newark for the purpose of preparing a programme for the consecration, which promises to be the grandest and most impressive religious ceremony ever witnessed in New Jersey. The assemblage organized into a convention by the appointment of Rev. Father Senez, of Jersey City, to the chair, and Rev. Father Byrne, of Camden, as secretary. To make all necessary preparations for the consecration, which will take place as soon as possible after the bulls arrive, and to procure a full set of pontificals from Paris for the prelate elect, a committee was chosen as follows:—Rev. Fathers Senez, Mackin, Doane, McNulty and Dalton. This committee was also instructed to wait upon the bishop elect and obtain his consent to have the consecratory ceremonies take place in St. Patrick's Cathedral, Newark, and to prepare a suitable address of congratulation or welcome on the occasion of Dr. Corrigan's elevation to the bishopric. It is reliably stated that Archbishop Bayley will officiate at the consecration. Rev. Father Doane stated yesterday that

THE ARCHIEPISCOPAL CROSS,

which had been ordered by the priests of the diocese for presentation to Archbishop Bayley, and which was expected to have arrived from Paris in time for the Archbishop's installation at Baltimore, had been detained through some unexplained cause, but was now *en route* and would undoubtedly arrive in time to be worn for the first time at the consecration of Bishop Corrigan. The cross is very costly, as may be inferred from the fact that it is insured for $1,500. The consecration sermon will probably be preached by the Bishop of Rochester, who preceded Dr. Corrigan as President of Seton Hall College.

PRESENTS FOR THE PRELATE.

It is contemplated in various quarters to make the new Prelate the recipient of costly presents. The seminaries of Seton Hall College propose to give him a splendid pectoral cross, while the other students of the College will convey their esteem and regard for their late President by tendering him a massive gold ring—a necessary article of episcopal adornment. Another ring, a richly jewelled one, such as is used by the Bishop in the performance of his office, will be procured for him by some of his warm lay friends in Newark. These tokens of regard are now in course of preparation, and will be presented as soon as the official confirmation of the Bishop's appointment arrives.

STREET CLEANING.

The Bureau of Street Cleaning pretends to make a faint show of clearing away some of the snow and filth that has lain on the thoroughfares during the Winter. A report was sent to the Board of Police yesterday from this model wing of the Department stating that $11,294 30 has been expended in removing 18,481 loads of ashes and garbage. The Police Commissioners and the members of the Street Cleaning Bureau are about the only people in the city who could possibly discover that the people have in any way been benefited by this herculean labor of the Bureau during the past week. The fact is further announced that the extra expense of removing snow amounted to $223 87. The Bureau is a failure. The task had better be given up.

A LUNATIC STRANGLED.

Yesterday morning Coroner Keenan received information that Cornelius Dugan, who for the last five years had been an inmate of the Lunatic Asylum, Ward's Island, had died by strangulation the day previous by a piece of meat lodging in the windpipe while eating his dinner. By permission of the Coroner the remains were removed from the Asylum to the house of some relatives, 242 East Thirty-third street, where an inquest will be held.

POLICE MATTERS.

A man giving his name as William J. Quick was detected yesterday in trying to swear himself on the police force. He was recognized by a sergeant of the Thirty-first precinct as William Quick, who was dismissed from the force some time ago. The Commissioners ordered the chief clerk to send the papers in the case before the Board.

MACGREGOR'S ANNUAL REPORT.

LESSONS OF THE BOSTON FIRE.

Interesting Statistics of the Building in 1872.

A. T. Stewart's Dwelling, Drexel Buildings, the Bennett Building, the Staats Zeitung Office, the New Post Office, &c., Cannot Be Destroyed by Fire—The Domestic Sewing Machine Building, Corner Fourteenth Street and Broadway, a Forest of Combustible Timber.

Necessity for Amendments to the Building Law.

From the report of Superintendent Macgregor transmitted to the Mayor elect we make a synopsis. The tabular statement of the transactions of the department from the date of the last annual report, April 5, 1872, to date are full and interesting. The summary is as follows:—

Plans submitted for new buildings	699
Number of buildings	1,281
Plans for alterations	796
Number of buildings	890
New buildings commenced	1,360
New buildings completed	1,632
Alterations commenced	894
Alterations completed	1,015
Buildings reported for fire escapes	546
Unsafe buildings reported	283
Unsafe buildings made safe	207
Unsafe buildings taken down	23
Violations reported	377
Violations removed	255

Comparing with the report of 1871 there were in that year 1,418 plans for new buildings, comprising 2,635 buildings of all classes submitted; 1,258 plans for alterations, comprising 1,962 buildings; 2,161 new buildings commenced, 1,899 new buildings completed, 1,832 fire escapes, 1,073 unsafe buildings reported, 3,630 violations reported, 240 cases sent to attorney for settlement.

The Superintendent explains that the remarkable falling off in the transactions of the nine months of 1872, as reported, "is due partly to the embarrassments of builders caused by the trade strikes of Spring and Summer, but chiefly to the parsimonious policy enforced by the Comptroller against the department, whereby a large portion of its important labors were necessarily suspended and its working force unwisely curtailed. * * * He congratulates the public upon the acquisition of so much valuable education in the popular sentiment in regard to the importance of such stringent building regulations as will secure that safety to life and property required by prudence and humanity.

Referring to his several annual reports, and especially to his decennial review and reports submitted in April last, he gives a brief *résumé* of the trials and difficulties of the department in obtaining, from time to time, the additions and amendments to the present law, and, after naming the chief points, says: "It will doubless be a source of surprise to those whom the Boston fire and our own late calamities have so suddenly and effectually enlightened, to learn that it has required ten years and two stupendous national disasters, together with no inconsiderable experience of our own, to bring our Building law to even the present state of efficiency." * * * After acknowledging the increasing kindness and assistance accorded to his efforts by the leading builders, architects, insurance companies and property owners of the city, he roundly asserts "that so far from opposing the most stringent building regulations they have earnestly desired that the law should be made to conform to the high standard of architectural art voluntarily adopted by themselves." * * * "In the light of the Boston fire it is more easy to perceive the dangers of eight-inch party-walls, wooden cornices, roofs, Mansards, elevators, well holes, stairways, combustible floors and unprotected windows. No one would claim that ill-constructed and worse ventilated tenement houses with inefficient fire escapes are safe, and but little was the face of experience would convince the wisdom of testing iron work." * * * "Although it has required overwhelming disaster to perfect our education, it is pleasing to know that it was not altogether by our own misfortunes that we attained conviction." * * * "Had Boston been constructed upon the principles which this department has strenuously sought to have embodied in our building laws, a conflagration of that magnitude would have been absolutely impossible. Nor do the facts furnish any argument whatever against the possibility of a thoroughly fireproof city." * * * "Among the last acts of the late James Gordon Bennett was to sign the plan and specifications offered for approval at the Department of Buildings for the erection on Ann, Nassau and Fulton streets of a fully fireproof building. The dwellings of A. T. Stewart, also his hotel, corner of Thirty-second street and Fourth avenue; the Metropolitan and German Savings Banks, the *Staats Zeitung* and Drexel buildings and the new Post Office are cited as examples of fireproof structures." "It is impossible in such buildings for a fire to extend. The contents may burn or the buildings be blown up, but they cannot be set on fire, even by extraordinary conflagrations around them, and a block or city so constructed could never be destroyed by fire." In contrast with such buildings he cites, as being within the provisions of the present law and subject to his approval against knowledge and experience, such monstrosities as the building in progress at the southwest corner of Broadway and Fourteenth street, on a costly lot, with a magnificent iron front and substantial walls, but filled with a forest of combustible timber and woodwork, surmounted by a wooden roof, really no safer from fire than the Talmage Tabernacle or Barnum's.

In regard to the results of the labors of the department since 1862 he refers with pride to the increased safety of life and property and improved architectural appearance of the city, and desires the public to read his decennial review or retrospect or report—it may be termed either—of April last, just now published.

As usual in every annual report, he says:—"I cannot now or ever, perhaps, too often or too earnestly urge the importance of an efficient and comprehensive building law, as clear, full and precise in detail as architectural experience can make it, with its requirements, enforced by a commission of skilled architects and builders, whose decisions should be final. Superintendents, deputies and inspectors should be required to pass a rigid examination as to qualifications by a competent body of architects. Such departments are in successful operation in London, Paris and other cities of Europe, and there is nothing in the most minute detail of their most stringent law that is not the result of experience in the school of misfortune, or that could be wisely omitted in regulating the erection of a modern city." After detailing the system of London, which is self-sustaining, he says:—"I do not suggest the self-sustaining feature, nor am I prepared from any personal knowledge to pronounce it superior to our own." * * * In regard to the existing Building law he states: "It is proper, while referring for corroboration to previous reports, to call especial attention to the fact that its provisions in regard to construction details, as now constituted, may be regarded as the slow and gradual products of ten years of experience and legislation." * * * Each section has been carefully prepared and approved by the best architects and builders among us, and so far as perfected is as good as any. It is not therefore a new building law we need, but a few important amendments to the present one. Referring to the heavy pecuniary calamity at the Fifth Avenue Hotel, and several similar ones, attended with loss of life by suffocation in 1866, and the startling fact that 600,000 persons swarm in 20,000 tenement houses, and 200,000 nightly sleep in the hotels of New York, he says:—"It is a self-evident proposition that if the sleeping inmates of burning buildings are not awakened in time, no fire escape, however efficient and ingenious, could avail them." He urges the importance of an amendment in regard to ventilation and deprecates the confusion of mingling the duties of the department with those of the Board of Health. "The proper time," he says, "to provide suitable ventilation is during the planning and construction, which should be solely under direction of the Superintendent of Buildings."

Speaking of the Mansard roof, to which "the Boston fire has apparently imparted new and unexpected terrors," "although, from the testimony of experts who witnessed that fire, it is certain that its fearful and rapid extension was due more to thin party walls, unprotected windows and wood cornices. There has not the slightest doubt ever existed in the minds of good builders anywhere, that all valuable buildings and others in densely populated districts should be constructed wholly of fireproof materials, and the law should be so amended. After illustrating the dangerous evils of modern stairways, well holes and elevators, and demanding a stringent law requiring them to be fireproof in all buildings over four stories in height, he adds:—"It is certain that the most stringent regulations in the hands of the most competent officials as to the construction of buildings or prevention of violations would be inoperative, unless some absolute police power was granted to the officers to enforce their strict observance. A large proportion of the vexations and difficulties of the Department have emanated from the inefficiency of the law in this respect, and he cites a number of cases exhibiting the inconceivable folly of permitting Courts and juries to supersede or override the decisions of the Department.

After detailing the growth of the city and enlargement of the sphere of duty, he asserts that the expenses are not increased in proportion, and that the improved character of buildings and safety assured to life and property have infinitely more than compensated the city for the entire cost of the Department of Buildings.

In regard to the refusal of the Comptroller to pay the contingent fund especially appropriated by acts of the Legislature, he says "he never sought to instruct the Comptroller in the management of either of his departments, nor does he believe him competent to direct his."

He makes a strong protest against placing the Department of Buildings, wherein architectural and mechanical knowledge are required, as a mere bureau in the Fire or any other Department in which no such qualifications are needed.

The report closes as follows:—"Under all the circumstances it will be perceived that it is extremely difficult to conduct the Department with satisfaction to myself or in accordance with what I believe to be the public interest. The duties and responsibilities of inspectors and employes of the Department require skilled mechanics and men of intelligence and energy, and such persons command and merit living salaries. The constantly increasing labors and add advancing importance of the Department demand an increased rather than a diminished force, and I trust that wise legislation will utterly repudiate and expose all fanatical pretence of economy, and, with a building law worthy of a great city, will endow a department (not a bureau) of buildings with power to enforce it."

Statistics for the Year.

The report is replete with interesting statistics:—

ALTERATIONS.

Submitted	796
Approved and passed	704
Amended and approved	89
Rejected	23
Number of buildings embraced	890
Number of buildings raised	346
Number of buildings altered internally	89
Number of buildings altered externally	334
Total buildings altered	890

COST OF NEW BUILDINGS PROPOSED, ETC.

The estimated cost of new buildings proposed is	$21,944,330
The estimated cost of alterations is	2,788,379
Making a total of	$24,732,709

NEW BUILDINGS COMMENCED.

First class dwellings	362
Second class dwellings	37
Third class tenements	666
Stores and warehouses	89
Manufactories and shops	97
Stables	69
Frame dwellings	14
Churches	10
Schoolhouses and public buildings	16
Total	1,360

NEW BUILDINGS COMPLETED.

First class dwellings	370
Second class dwellings	109
Third class tenements	667
Stores	68
Manufactories and shops (brick)	87
Stables (brick or stone)	70
Frame dwellings	18
Frame shops	1
Frame stables	4
Schoolhouses and public buildings	17
Churches	10
Total	1,662

Of the number of new buildings completed there were commenced in 1869 51 and 730 in 1871. There are now in progress 996 buildings, of which 7 plans were in 1869, 31 in 1870 and 217 in 1871.

ALTERATIONS COMMENCED AND COMPLETED.

Commenced	894
Completed	1,015

UNSAFE BUILDINGS.

Reported unsafe	283
Taken down	23
Rendered safe	207
Removed or being secured	53

Of the number undisposed of April 5, 8 have been taken down, 63 have been made safe and 11 are undergoing repair or removal.

Since the organization of the Department 3,631 unsafe buildings have been reported; 405 have been taken down and 3,163 made safe, leaving 64 in process of removal or repair.

VIOLATIONS.

Violations reported since April 5, 923; for fire escapes, 546; of this number 216 have complied with the law and 330 remain undisposed of. With those remaining April 5, 308 fire escapes have been provided and 846 are still undisposed of.

Since the organization of the Department 12,903 cases have been reported for fire escapes and 12,057 provided for. About an equal number of fire escapes have been voluntarily put up by owners and builders.

Of other violations of the Building law, besides fire escapes, 255 cases have been remedied, leaving 122 cases still undisposed of. Of the cases remaining on April 5, 51 have complied with the law, leaving a total of 306 unsettled. Total number since the organization of the Department, 7,107; of which 6,897 have complied with the law.

The number of violation cases handed to the attorney for prosecution since April 5 is 62, and the total amount of penalties collected, $850. A large portion of the penalties incurred were remitted upon compliance with the law. A book is kept at the office for the registry of complaints, and the matter is at once referred to the district inspector for investigation, and as anonymous complaints are vexatious and often fictitious the signature of the complainant will hereafter be required.

Since April 5, 67 complaints have been received and acted upon. In 156 cases no cause of complaint existed; 26 were removed upon notification; 9 required fire escapes; 80 were unsafe buildings and 96 violations of law. Since April 5, 318 violations have been prevented by the inspectors verbally notifying owners in time to prevent them.

IRON WORK TESTED.

One hundred and eighty-seven cast iron arch girders with wrought iron tension rods; 516 Fairbairn beams of 1525 pattern; 38 Fairbairn beams of 1525 pattern with iron rods in the plane with the bed of beam; 34 iledge iron girders of beams; 109 cast iron lintels; 10 wrought iron girders and beams, of which during testing 2 arch girders broke; cause, defect in casting; 4 cast iron arch girders with wrought iron tension rods broke; cause, defect in cast iron plates; 2 cast iron lintels and 2 cast iron beams broke; cause, defective casting; 1 cast iron arch girder with wrought iron tension rod broke; cause, rod not of sufficient dimensions.

PLANS AND SPECIFICATIONS FOR NEW BUILDINGS.

Submitted	691
Approved and passed	567
Disapproved and corrected	114
Rejected as illegal	10
Number of buildings embraced	1,281

Classified as follows:—

First class dwellings	377
Second class dwellings	66
Third class tenements	582
First class stores	47
Second class stores	21
Third class stores	14
Factories and workshops	84
Schoolhouses	5
Stables	67
Churches	10
Public buildings	8
Total	1,281

BOARD OF ALDERMEN.

Ordinances for Street Cars and for Snow and Ice in the Streets—Removal of Night Soil.

The usual weekly meeting of the Board of Aldermen was held yesterday, President Vance in the chair.

SNOW AND ICE IN THE STREETS.

Alderman RILEY moved that the following be added to the ordinance of section 18:—The owners or occupants of all houses and lots in the city of New York shall level the snow and ice in front of his or their premises in such manner as will admit of the convenient passage of horses, sleighs and carriages, under the penalty of $1 for every neglect, to be recovered from the owner or occupant or person having charge thereof, severally and respectively, but no part of this ordinance imposing a penalty for violation of any of its provisions shall apply to the owner, occupant or person having charge of such house or other building or lot or lots of ground in the city of New York, in any street, avenue or place in which the rails of any city railroad company are laid and city railroad cars run therein; this ordinance to take effect immediately.

The ordinance was adopted unanimously.

THE PROCEEDINGS OF THE BOARD.

A resolution authorizing the printing and binding of the proceedings of the Common Council for 1872, and asking for an appropriation of $4,225 for that purpose, was adopted.

GATES FOR PLATFORM CARS.

The Committee on Railroads recommended the adoption of ordinances by which gates should be placed at each end of the dashboards of the cars on the city railroads. These gates of the platform shall be securely closed and locked by the conductor of each car, and should not be opened under a penalty of $100 for each offence. The matter to be placed in the hands of the Police Commissioners. Railroad companies to be liable to penalties, to be recovered on the compla