# PUBLIC IMPROVEMENTS.

## What the Metropolis Has Paid for Poor Pavements.

### PRESENT CONDITION OF THE STREETS.

### Results of Experiments with Belgian, Wooden, Composite and Cobblestone Pavements.

### NEEDS OF THE PRESENT AND FUTURE.

### Insufficiency of the Water Mains for the Demands Upon Them.

**The very bad condition of the pavements in our streets and avenues, the result of the *régime* of fraud and corruption which for some years ran riot in this city and the restrictive and penny-wise policy which has since controlled the Finance Department, is now being brought home not only to the authorities under whose purviene it properly comes, but to the citizen at large. So great have been the draughts on the taxpayer heretofore for the laying down of pavements, and for which he has received no adequate recompense either as a citizen or a property owner, that he now looks with dread and a strong feeling of opposition upon any proposition for improvements in this direction. Again, he has been so heavily taxed in the past for worthless pavements that it has become a most difficult problem to reconcile the present imperative demands of the city with exact justice to him. Before Mayor Wickham assumed office the late Commissioner of Public Works, Mr. Van Nort, realizing these facts, addressed him a communication in which the whole subject was exhaustively discussed and which we to-day reproduce. The matter of a sufficient supply of Croton water for the needs of the city is also demanding attention at this moment, when it is realized that the large mains, which were laid down for the supply of a much smaller population than we have at present, are entirely inadequate to the present demands. The ideas and suggestions of the Chief Engineer, General Edward H. Tracy, communicated to Commissioner Van Nort and through him to Mayor Wickham, are also published herewith.**

THE PAVEMENTS.

DEPARTMENT OF PUBLIC WORKS,
COMMISSIONERS' OFFICE, ROOM NO. 19 CITY HALL,
NEW YORK, Dec. 17, 1874.

Hon. WILLIAM H. WICKHAM, Mayor-elect of the City of New York:—

During the past three years I have on five several occasions addressed communications to the Common Council and to the late Mayor in relation to the deplorable condition of some of the pavements in this city and the means to be adopted for their improvement. These communications have been without effect, so far as the taking of any practical steps for the improvement of the pavements is concerned. The usual appropriations for repairs have been made, but the inadequacy of these appropriations to produce any lasting improvement in the condition of the wooden, concrete and cobblestone pavements is so apparent that no one has looked upon them as a means to effect a remedy of the evils complained of, but merely to prevent, as far as possible, the further spread of the evils.

YEARLY APPROPRIATIONS.

The following are the appropriations made for the repairs of pavements during the past three years:—

In 1872, for stone pavements.....$160,000
For wood and concrete pavements. 85,000
In 1873, for stone pavements..... 90,000
For wood and concrete pavements. * 30,000
In 1874, for stone pavements..... 100,000
For wood and concrete pavements. 50,000

In 1872 we had in this city 139 miles of Belgian and other stone block pavements, 89 miles of cobblestone pavements, 21 miles of wooden pavements and 4¾ miles of concrete pavements. It will be seen, therefore, that the appropriations for repairs of stone pavements were at the following rates:—

| | Per Mile. |
|---|---|
| In 1872 | $702 |
| In 1873 | 394 |
| In 1874 | 438 |

And the appropriations for the repairs of wooden and concrete pavements were at the following rates:—

| | Per Mile. |
|---|---|
| In 1872 | $2,094 |
| In 1873 | 1,196 |
| In 1874 | 1,961 |

At these rates of expenditure the Belgian and other stone block pavements have been kept in a satisfactory condition, but the department has found it impossible to keep the wooden and concrete pavements even in tolerable repair; nor has it been able to properly maintain the cobblestone pavement in streets where traffic is heavy and frequent. It follows, then, that if all the streets in the city (excepting the uptown boulevard roadways) were paved with stone blocks, an annual expenditure of $500 per mile, amounting in the aggregate to $125,000, would be sufficient to maintain them all in good condition. Whereas, with the present pavements and an average expenditure of $172,000 per annum, nearly one-half of the streets cannot be properly maintained.

It is a well known fact that when decay and disintegration once take hold of a substance or a composition of substances they proceed at an ever-increasing rate. This is especially true of the wooden pavements, where the process of disintegration is much accelerated by the constant wear and pressure from the wheels of vehicles and by the sudden changes of temperature which characterize our climate. It is estimated that the wooden pavements become worn out and useless at the rate of twenty-five per cent, or 100,000 square yards per annum. The cost of replacing that quantity with stone blocks, which is the system now pursued by this department in the repairs of wooden pavements, would be about $2 50 per square yard, or $250,000 annually; but the appropriation for wooden and concrete pavements for the current year is only $50,000, and the expenditure of that whole amount can effect the repavement of only 20,000 yards. The

DEFECTS OF THE WOODEN PAVEMENTS

are most sorely felt in commercial thoroughfares, which are constantly crowded with the heaviest class of traffic. Of these I will mention Broad, Bridge, Nassau, Cliff, Dey, New, Rector, Liberty, North Moore and Mercer streets, Maiden lane and portions of Cortlandt, Franklin, Pearl, Pine, William and White streets. In all of these streets there is scarcely the length of one block of pavement that should not be immediately and entirely removed and replaced by new stone block pavement, if the means were at command to pay the expense. If any distinction can be made in the degree of dilapidation, where all is utterly unfit for the service required, Nassau street, Cortlandt street, White street and parts of William and Pearl streets may be set down as the worst cases; they defy all such effort at repairs as can be made under the present appropriations. The removal of the rotten wood and repavement with stone blocks cannot give full satisfaction so long as it is necessarily confined to the worst places and limited spaces, being in the nature of patchwork instead of the radical removal of whole blocks.

Another location where the faults of modern pavements manifest themselves most disagreeably is on Seventh avenue, from Fourteenth to Fifty-ninth street, and on Sixth avenue, from Forty-second to Fifty-ninth street. The avenues which establish communication between the lower and upper parts of the city are so few and far between that the travel upon them is immense, and they should be provided with the best possible pavement to afford proper accommodation for this travel. But the condition of the two just mentioned is absolutely disgraceful, quite beyond remedy by ordinary repairs, and not only disagreeable but dangerous to travel.

The Belgian pavement on Broadway, as widened, which has just been finished, now affords security to this travel and completes the magnificent thoroughfare, the main artery of the city, so fitly continued in the splendid Boulevard, which extends to the limits of the settled portion of the island. It is a great pity that the advantages of Broadway as a principal highway are marred and broken to some extent by the presence of rail tracks from Fourteenth to Thirty-fourth street. But the class of vehicles that serve the pleasure travel which seeks the Central Park and the pleasure drives above it requires certain qualities in a pavement that even the best stone block pavement does not possess. It is very desirable that at least one of the approaches to the Central Park should have a pavement that will combine smoothness, elasticity, noiselessness and cleanliness with durability. Fifth avenue, which is lined throughout with magnificent residences and is not yet, and not likely to be, invaded by rail tracks, is the most frequented of these approaches, and should be provided with such a pavement. Any recommendation of a special or patented pavement is so apt to be wrongly interpreted that I am reluctant to make any but undeniable facts warrant me in saying that of all the pavements heretofore laid in this city the Grahamite asphalt, as laid on Fifth avenue, between Twenty-fifth and Twenty-sixth streets, comes nearest to a combination of the qualifications mentioned. A carefully and thoroughly constructed Macadam roadway, though not so elastic as an asphalt pavement, would also be infinitely preferable to any stone block pavement for the class of travel which passes through Fifth avenue. The so-called concrete pavement which was laid in this city previous to my administration is not less objectionable than the wooden pavements. In several instances, as in Eighteenth street, between Fourth avenue and Irving place, and in Thirty-eighth street, between Fifth and Madison avenues, they have been satisfactorily repaved by resurfacing them with a genuine asphalt pavement (the Grahamite asphalt); but the annual appropriations are inadequate to cover the expenses of applying this method to any great extent. Although the

COBBLESTONE PAVEMENT

does not present all the disadvantages and defects of the wooden and concrete pavements, inasmuch that it is not composed of perishable materials. No one will dispute the fact that it is absolutely unfit for streets where traffic is heavy and frequent. Owing to the irregularity in the size and shape of the stones it soon becomes full of holes and ruts which are dangerous to vehicles and horses, and effectually prevents surface drainage and proper street cleaning. In some of the commercial thoroughfares in the lower part of the city it would be utterly impossible to keep the cobblestone pavement in as good condition as an ordinary stone block pavement, even though it was entirely relaid annually, which would entail an expenditure far beyond the usual appropriations for repairs. The streets paved with cobblestones are so numerous that I can mention only a few cases, where an improvement is most desirable. Of the forty-nine miles of streets south of Canal street, all of which are needed for the accommodation of the great commerce which occupies that whole section, twenty-two miles are paved with cobblestone, including such commercial highways as West Broadway, College place, Washington, Water, Front, Church, John, Pearl, Vesey and Centre streets. Great stress has already been laid on the necessity of providing the few main avenues with good pavements, yet we find the primitive cobble stone pavement on First avenue from Houston to Thirty-fourth street, on Second avenue from Nineteenth to Forty-second street, and on the entire length of Tenth and Eleventh avenues, south of Fifty-ninth street. An inspection of any of the streets and avenues named will bring conviction of the utter impossibility of keeping them in proper condition so long as they are paved with cobblestones.

A PROLIFIC SOURCE OF COMPLAINT

and annoyance with regard to pavement repairs generally is the negligence of the city railroad companies in keeping the pavements between their tracks in proper repair. Only those of the companies which obtained their franchise from the Common Council are required by the terms of such franchise to keep the pavement between and adjoining the tracks in repair. The companies which obtained charters from the Legislature are not so bound by express provisions of law, though it would seem but just and equitable that they should make this small return for the valuable privileges they enjoy. Streets with railroads require more frequent repairs than others, not only between but outside the tracks, because the travel is not so well distributed over the whole surface as in other streets, but moves principally in particular grooves, which make frequent repairs necessary.

ANOTHER CAUSE OF COMPLAINT

is the inefficient manner in which the pavements are replaced by gas companies, plumbers, builders and others over openings made for laying pipes or making connections with Croton and gas pipes and sewers. The frequency of these openings of streets may be inferred from the fact that we have in this city over 540 miles of gas mains, 349 miles of Croton pipes and 320 miles of sewers, and more than 74,000 buildings, which are each connected with sewers, Croton and gas pipes. It is therefore nearly impossible to exercise a proper supervision over all the cases of opening of pavements, and the defects in repairing often develop themselves only after some length of time. An efficient remedy could be provided by a provision of law compelling parties to pay a certain sum per square yard of pavement removed, to be applied to the expense of replacing it by skilled workmen in the employ of this department. The evil effects of bad pavements on the public health have been so often discussed and are so generally recognized by the Board of Health, by the medical profession and by the public at large that I need not further press their importance. Bad pavements are equally objectionable and injurious in another respect which is of vital importance to a city like New York—viz., in the influence on commerce and traffic. For some years past there have been serious forebodings of

GREAT LOSS TO OUR COMMERCE

by its diversion to other ports, owing to the great expense of transshipment of merchandise occasioned by the want of proper facilities. An important part of this expense is for the transportation of merchandise through our streets to and from vessels, railroad depots and storehouses. Whatever improvements may be made on the water front to facilitate the transfer of freight, a large portion of it will always have to be carried through the streets of the city. A due regard for the commercial interests of the city, to which it owes its very existence, demand that local transportation should be made as easy and cheap as possible, and this can only be done by the maintenance of good pavements. To withhold any reasonable expenditure necessary to attain this object would seem to be the very reverse of sound economy.

Experience having demonstrated the fact that it is physically impossible to maintain the wooden, concrete and cobblestone pavements in proper condition, there remains but one remedy—to replace them with such as are better suited to our local traffic and the conditions of our climate. The superiority of the stone block pavements for commercial thoroughfares over all others which have undergone any considerable tests is unquestionable. Our truckmen and cartmen will go long distances out of their way to avoid cobble, wooden or concrete pavements, and if they cannot avoid them they must lighten their loads. I am aware that the stone block pavement also has its objectionable features, inasmuch as it is noisy and liable to become too smooth to offer a sure foothold for horses; but its advantages far outweigh its defects. For uptown streets, away from commerce, where there is no heavy traffic a thoroughly constructed roadway of a genuine asphalt pavement such as the Grahamite asphalt for several years in use on Fifth avenue, between Twenty-fifth and Twenty-sixth streets; on Eighteenth street, between Fourth avenue and Irving place, and on Thirty-eighth street, between Fifth and Madison avenues may be preferable on account of cleanliness and noiselessness, but they have never been tried on any of the down town streets which are continually thronged with heavily laden trucks and carts, nor on such steep grades as frequently occur in the lower part of the city. Whether an improvement can be made on the stone block pavement for these streets is a matter to be decided by future experiments, while the improvement of those paved with cobblestone, wood or concrete is an immediate and commanding necessity. Their presence is a standing reproach to a great and progressive community like New York.

THE QUESTION OF EXPENSE.

The question yet to be decided is how to provide the means to pay the expense of repavement. Local improvements confer corresponding local benefits, while they also benefit to a greater or less extent the community at large. Under our laws all local improvements have hitherto been paid by local assessments upon property deemed to be benefited. Until the passage of the present city charter, April 30, 1873, the power of the Common Council to order the paving or repaving of streets was uncontested, and the cost of repavement was assessed upon adjoining property. The sad experience with the wooden and concrete pavements which were laid during the years 1867 to 1871, and for which heavy assessments were laid on property which had already been assessed for street paving, led to the adoption in the charter of a sweeping clause (section 115) prohibiting the repavement of any street except upon petition of a majority of property owners, representing a majority of the property to be assessed for the improvement. This has proved to be a complete barrier to the improvement of any street, however worthless the present pavement, only one instance having occurred (that of Broadway, from Thirty-second to Fifty-ninth street,) where a sufficient number of property owners have petitioned for a repavement. The opinion is general among property owners that the city at large is bound forever to maintain a pavement once laid and paid for by assessment; hence their reluctance to volunteer the payment of the expense of any repavement. Some of the cobble stone pavements, however, have been laid at a period so remote that it is impossible to ascertain if any assessment of their cost was ever made, and it is quite probable that in many instances none was ever paid. The substitution of a good stone block pavement for any of the cobble stone, wooden or concrete pavements would undoubtedly be of great and direct benefit to adjoining property, while it would also indirectly benefit the whole community.

I submit for your consideration the drafts of two separate bills to authorize the Common Council to provide by ordinance for the repavement of streets whenever they may deem it necessary for the public interest. One of the bills provides for the assessment of one-half the cost of all such repavement upon adjoining property; the other half to be paid from the proceeds of bonds of the city, the issue of which is limited to $250,000 in any one year. The other of these bills provides for the assessment of the whole cost of repavement on adjoining property, except that all such assessments upon property which has within the last ten years paid any assessments for paving be borne by the city. Yours, very respectfully,

GEORGE M. VAN NORT,
Commissioner of Public Works.

CROTON WATER MAINS.

On the 20th of January last Mr. Van Nort forwarded to the Mayor the following communication regarding the Croton mains:—

DEPARTMENT OF PUBLIC WORKS,
COMMISSIONERS' OFFICE, Room 19 City Hall,
Jan. 20, 1875.

Hon. WILLIAM H. WICKHAM, Mayor of the City of New York:—

DEAR SIR—I have the honor to transmit to you herewith a copy of an estimate of Edward D. Tracy, Esq., Chief Engineer of the Department, of the sum required to complete a plan adopted by the department for the water supply and distribution of Croton water in the lower part of the city; also for extending the system of Croton water mains in the upper part of the city and to supply Croton water to the Twenty-third and Twenty-fourth wards, lately annexed.

The reasons which make this expenditure necessary are fully set forth in the communication of Mr. Tracy. The beneficial effects of the work already done during the past three years by the laying of large mains from the reservoirs south, especially in the greater security from fire, are so apparent and valuable that there should be no hesitation in making the required appropriation. The necessity for extending the Croton mains in the newly settled portions of the city and in the Twenty-third and Twenty-fourth wards is equally pressing, the law making it the duty of this Department to supply the entire population of the city with pure and wholesome water.

I inclose a draft of an act to authorize the raising and expenditure of the necessary means for this purpose, and have to request that you take such measures as may seem to you proper to bring the subject before the Legislature at an early day. Very respectfully,

GEORGE M. VAN NORT,
Commissioner of Public Works.

COMMUNICATION OF THE CHIEF ENGINEER.

DEPARTMENT OF PUBLIC WORKS,
CHIEF ENGINEER'S OFFICE, CITY HALL,
NEW YORK, Jan. 15, 1875.

To GEORGE M. VAN NORT, Esq., Commissioner of Public Works:—

SIR—Soon after this department was formed a thorough examination of the then existing water mains was made, which clearly showed that the mains were not large enough to carry the necessary quantity of water to the consumers and for use in case of fires. It was decided by the department to remedy this by laying three large mains from the reservoir south, and also to lay some larger mains in some of the streets and avenues and connecting them with the existing mains, and thereby increase the capacity of the latter. Some of the avenues and many of the streets in which the most valuable property is situated were supplied by six-inch mains. The whole Harlem and Manhattanville district was supplied from the Reservoir with a single twelve-inch main. There were also large districts in the upper part of the city in which the streets and avenues were graded and the property ready to be brought into use, but could not be occupied for the want of water, and where the water has been supplied and the property covered with buildings. In pursuance of this decision the department have laid a thirty-six-inch main from Forty-second street to and through Chambers and Church streets and connected it with all the large mains in the lower part of the city, and have also laid a forty-eight-inch main, being a part of the proposed new westerly main from Seventy-ninth street and Eighth avenue to and through Tenth avenue to Thirty-eighth street, with a branch in Forty-second street, connecting with the lower reservoir and all the existing large mains leading to the lower part of the city. These mains are working very successfully.

I would recommend that the new westerly main be continued down town with a thirty-six inch main, connecting with the existing large mains on Canal and Church streets, and that the easterly forty-eight inch main be continued from Eightieth street and Fourth avenue through Eighteenth street to First avenue and through First avenue to the vicinity of Fortieth street and connected with the lower reservoir and all the existing mains running south. I would also recommend a new twenty-inch main be laid in Fifth avenue which is now supplied from Fifty-ninth street to Washington square by a single six-inch main which is entirely inadequate to furnish the needed supply. A large amount of pipes are required in the upper portion of the city where the streets and avenues have been graded, and the property is ready to be brought into use as soon as it is supplied with water. The department have laid a twelve-inch main in the new district from Harlem River, through Lincoln and Third avenues, to 158th street. This main is connected with the mains on the south side of Harlem River by a wrought iron main laid across and under Harlem River.

I have provided in the estimate for supplying the new district with six-inch and twelve-inch mains, and arranged that when they will not furnish an adequate supply they can be reinforced by large mains.

| | |
|---|---|
| Estimated cost of laying forty-eight-inch main and branch, as heretofore described | $443,000 |
| Thirty-six-inch main and branches, as heretofore described | 307,000 |
| Extending the mains of distribution on the upper part of the island and in the two new wards, including new twenty-inch main in Fifth avenue | 750,000 |
| Total | $1,500,000 |

Respectfully submitted,
EDWARD H. TRACY, Chief Engineer.

## JOHN B. HASKIN'S REPLY TO SIMON STERNE.

TO THE EDITOR OF THE HERALD:—

The "reform lawyer," Simon Sterne, rushed into all the newspapers of yesterday in defence of his patron "of the treasury," Andrew H. Green. His card contains a tissue of falsehoods from beginning to end, as has been and will be proven under oath before the Aldermanic committee. He commences by stating untruly the substance of my statement made before the committee, "That Mr. Green employed me (Sterne) to lobby for him at Albany in the spring of 1874, and paid me therefor $1,600, and that redrafting the Annexation act was a pretext." My testimony was that Sterne introduced himself to me and stated that he appeared at the Legislature for the Comptroller, and at his request. Sterne introduced himself to me at the Delevan House, when three gentlemen were present, breakfasting with me, who overheard his, to them, impertinent remarks, and who will, if required, testify and corroborate what I have stated before the Aldermanic committee, one of these gentlemen remarking at the time my forbearance in not giving the inviting olfactory organ of Sterne a gentle tweak for his impressive impertinence on the occasion. I then recognized the distinction between the official "the Comptroller," and Andrew H. Green, the individual. They are different things, while Simon Sterne, the lawyer and lobbyist, is one and the same thing. He admits the receipt of $1,600 from the Comptroller for redrafting the Annexation act and attempts to justify payment under the quantum meruit. Hon. William Cauldwell has sworn that the services were detrimental to the interests of the city and valueless; and I swore that a liberal allowance would be $250. The Hon. William Herring will be examined before the committee in full corroboration of Mr. Cauldwell. The invention of Sterne that he saved half a million of dollars to the city by defeat of the map clause in the amended Annexation act of Mr. Cauldwell, is a Munchausenism. The map clause gave the employment of the doing of the work for the maps, &c., to his friends Comptroller Green and Mayor Havemeyer, and was not defeated as it is suostantially retained in the act as passed. This saving is like the pretended saving to the city by the $170,000 in taxed costs in judgments obtained against the city mostly unnecessarily paid by the Comptroller, and the $100,000 also paid for "extra counsel" to "sap the vitals of the city." This pretended saving is also like unto the "millions in it" attempted to be made in his raid upon Commodore Vanderbilt and the New York Central Railroad, in stopping the Fourth Avenue Improvement by injunction attempted to be obtained upon his advice to poor old Mayor Havemeyer—that the law under which the great work was progressing was unconstitutional, because the act contained more than one subject and the subjects were not expressed in the title, and that the act had not been passed by a two-third vote. The Supreme Court, however, determined that the mantle of Daniel Webster had not fallen upon lobbyist and lawyer Sterne, refused the injunction, and the city was compelled to pay the warrant which Sterne had induced Havemeyer not to sign, with large costs and counsel fees.

Sterne is a humbug reformer, an inventor of schemes, by which, through Green, he has intruded his insatiate maw into the city treasury and drawn from it large sums of money—$1,650 for redrafting the Annexation act and $1,500 more "for business relating to Westchester county," for one year's service in the Legislature was a swindle upon our depleted and nearly bankrupt treasury. I protest against it in the name of real reform, and assert with entire confidence that Mr. Sterne had no influence, moral, political or legal, with Senator Robertson, the Chairman of the Judiciary Committee, and other Senators and Assemblymen named by him, with the exception of his *confrère* of the Brignoli-like, sweet tenor voice, Blumenthal.

I challenge Mr. Sterne to call these Senators and Assemblymen before the Aldermanic committee to attempt to disprove what Senator Cauldwell and myself have testified to. Yours truly,

MARCH 8, 1875. JOHN B. HASKIN.

## MUNICIPAL NOTES.

The Chamberlain's statement, made yesterday, is as follows:—Balance, February 27, $719,431 21; receipts, $1,828,857 40; payments, $937,474 42; balance, March 6, $1,610,788 29.

The Mayor has not as yet received any communication from the Governor relative to the cases of the Corporation Counsel and the Fire Commissioners.

General Hancock and Fernando Wood were among the callers upon the Mayor yesterday.

The Law Committee of the Board of Aldermen, in charge of the investigation of the conduct of the Finance Department, are, it is said, collecting evidence as to the Comptroller's real estate transactions, in order to substantiate the charges recently made. Mr. John B. Haskin, one of the members, states that the communication of Mr. Crimmins, the contractor, exonerating Mr. Green, does not cover the points involved.

## THE CUSTOM HOUSE.

The changes in this department of the government continue to be made, but have no especial significance. The captain of the night watch, Mr. Meek, has been promoted to an inspector's position, and Captain Rundle, formerly an assistant weigher, has also received an inspector's appointment. Mr. Phillips has returned from Washington, bearing, it is supposed, a ratification from the Treasury Department of the recent changes instituted, but the officials suffering a reduction of salary have not yet been formally notified. In the seizure bureau a few packages were received yesterday. A common lot of coral jewelry brought to this department a few days since was yesterday appraised. A few cigars and a lot of *fromage de Brie*, seized from the France—a French steamer—are all that are noticeable. It is supposed the recent convictions will very much lessen the smuggling of valuable dry goods into this port, while the fraud of passing dutiable goods as personal baggage has also, for the moment, received a severe check.

## RAPID TRANSIT.

MEETING OF THE SUBSCRIBERS TO THE DEFERRED CAPITAL FUND—OBSTACLES TO THE ENTERPRISE—A. T. STEWART'S OPPOSITION—WILLIAM B. ASTOR'S POSITION—MEETING OF PROPERTY OWNERS.

A meeting of the committee which was appointed last Thursday from among the subscribers to the "deferred capital" fund for the building of a rapid transit railway by a private corporation was held yesterday afternoon in the rooms of the Chamber of Commerce. The purpose of the meeting was to arrange for the organization in due form and coherency of the citizens who are in favor of the achievement of rapid transit, who think it can be accomplished through the means proposed by Mr. James M. Drake, and who have determined to adopt that means. There was an ulterior purpose to make arrangements for—the organization of ward clubs in favor of rapid transit—but during the meeting it was determined to leave this duty to the regular organization.

The meeting was called to order at about half-past two o'clock by Mr. B. L. Ackerman, who recited the authority under which it was called. The minutes of the meeting held by the original supporters of the "deferred capital" project on the 1st of February were read by Mr. C. H. Roosevelt, and then that gentleman asked to be relieved from the duties of secretary. He nominated Mr. Frank G. Brown to take the position of secretary, and explained that he desired to be free from official position for the reason that he had some resolutions to submit for the consideration of the meeting. After some discussion, during which that able parliamentarian, Mr. Jacob Cohen, talked often and earnestly, Mr. Roosevelt was permitted to retire from the office of secretary and Mr. Brown was elected to fill the post temporarily. Mr. Roosevelt then took the floor and said:—"In view of the fact that something should be done toward accomplishing rapid transit, and recognizing that this association should do that something, I have drawn the following resolutions." He read a series of resolutions, which, after he had ended his reading, it was determined by the committee to take up one by one. The resolutions were accordingly read and acted upon separately. Some of them were amended before adoption, and one which Mr. Roosevelt read in the series he withdrew from the consideration of the committee, to reserve it for the consideration of the regularly organized association. The resolutions as adopted read as follows:—

Resolved, That, in view of the fact that rapid transit is conceded to be an absolute necessity and of vital importance to all, we will this day take the necessary steps to make an organization of citizens to further the accomplishment of that object; that this organization shall be called the New York Rapid Transit Association.

Resolved, That the officers of this association shall be a president, three vice presidents, a secretary, a treasurer, twenty-four directors, a finance committee of five, an executive committee of five, and a committee on legislation of three, to be chosen from the board of directors.

Resolved, That when this meeting adjourn it adjourn to meet one week from this day, at the same hour and place, and that all subscribers to the "fund" be notified to attend the meeting to be held at that time and place.

Resolved, That a committee of four be appointed to ascertain where and at what price a room can be obtained for a general headquarters of this association.

Resolved, That a committee of three be appointed by the Chairman to draft a constitution and bylaws for this association, and that such committee be requested to report at the next meeting, and that such committee at the same time report the names of such persons as they find suitable and willing to serve as officers of the association.

After the resolutions were adopted Mr. Jacob Cohen, who had remarked that he knew "as much parliamentary law as the next man," moved that a committee of five be appointed to confer with other organizations whose purpose is to effect rapid transit. The motion was adopted, and the Chairman of the meeting was empowered to appoint the members of the committee of conference. In pressing his motion Mr. Cohen declared that energetic work must be done in order to effect rapid transit. The people who desire that boon must "do business." He had already procured subscriptions to the amount of $27,000 upon this paper, and had also set at work to procure further subscriptions from several of the gentlemen who had pledged him their names as individual representatives of goodly sums of money, to establish the "deferred capital fund." Mr. Jacob Cohen's remarks were received with enthusiasm by the meeting. They also called out remarks from Mr. Roosevelt upon the financial prospects of the association and several other topics. Mr. Roosevelt said that forty subscription lists had been issued since the last meeting of the supporters of the "deferred capital fund," but that only four of the holders of the lists have reported definitely the results of their solicitations of subscriptions. These four report that they have procured subscriptions representing almost $100,000. If the other thirty-six subscription lists showed as good results proportionately the project of rapid transit will become a reality and the opposition of selfish capitalists will be overcome. The people would be astounded to hear of the numerous avenues through which runs opposition to rapid transit. Some of it is not open and decided, but it has effect. You go to a great capitalist to speak of rapid transit. He agrees with you that rapid transit would be very beneficial, but pleads that he has not the time to urge it on, and does not give any money to assist others in urging it on, because, as he says, he wishes to see the movement well started before he takes part in it. He has interests in New Jersey or city railroads which restrain him. It is a fact that we must depend upon the great capitalists to aid us in procuring rapid transit. We must enlist the people with us.

The remarks of Mr. Roosevelt drew out a speech from Mr. William H. Morell. This gentleman said that as the scope of the meeting had a wide range he desired to say something of a general character in relation to rapid transit. He held in his hand copies of the Vanderbilt and Gilbert charters, which he said he had analyzed and found inoperative. He had seen Commodore Vanderbilt, who had said to him in response to a question relative to his charter, "Of course it is extinct." The Vanderbilt charter provides that an underground railroad shall be built four feet above the water, and that cannot be. Commodore Vanderbilt was reported, at a previous meeting for rapid transit in these rooms, at which I was present, and subscribed $5,000, to have said "Damn rapid transit." He did not say that to me this morning. He said that there had been a bill before the Legislature, and if it had been passed there would now be a rapid transit railway from Forty-second street down town. The difficulty to connect the Forty-second street depot with the lower part of the city by a rapid transit railway is that the property which must be passed by the railway is too valuable. It cannot go through Broadway or Fourth avenue, by A. T. Stewart's property, because that capitalist will oppose it. He defeated the Broadway railway scheme by purchasing its franchise. He would spend millions in opposition to a rapid transit railway meant to run on Fourth avenue. I have been to see Mr. William B. Astor in relation to the matter of rapid transit, and he affirmed to me that he is thoroughly desirous of it, not only north and south, but east and west. Said he, speaking of a rapid transit railway from end to end of the city, "Give up an avenue to it." Mr. H. B. Claflin, you know, is in favor of your project. He has property in Westchester county, to enhance the value of which rapid transit is important to him. Mr. Claflin was at your last meeting and should have been utilized on some committee. Mr. Morell said in conclusion that to procure a rapid transit railway the purse strings of the great capitalists of the city must first be possessed.

When Mr. Morell had ceased speaking the chairman of the meeting announced that the committees on Constitution and of Conference were to be made up as follows:—

Committee of Conference—Messrs. William H. Morell, James M. Drake, Jacob Cohen, L. B. Roeder, John Havin and B. L. Ackerman.

Committee on Constitution—Messrs. Charles H. Roosevelt, L. B. Roeder and William H. Morell.

A motion was then made and adopted that the meeting be adjourned and the Committee of Conference proceed to a meeting in favor of rapid transit, at the corner of Broadway and Thirty-third street.

In accordance with the provision of the third resolution adopted by the meeting, the subscribers to the "Deferred Capital Fund" will assemble on next Monday afternoon, in the rooms of the Chamber of Commerce to organize a permanent association.

MEETING OF THE EXECUTIVE COMMITTEE OF THE CITIZENS' RAPID TRANSIT ASSOCIATION.

A meeting of the Executive Committee of the Citizens' Rapid Transit Association was held yesterday afternoon at the office of J. Romaine Browne, corner of Thirty-third street and Broadway. This, it will be remembered, was an adjourned meeting from Friday last. The meeting was called to order by the Hon. R. B. Roosevelt, the chairman, Mr. Jonathan Edgar, not being able to attend. After the reading of the minutes a report was read from the Executive Committee, which in reality amounted to nothing but detailing the action of the sub-committee appointed by Tammany Hall. The next order of business was the reception of the committee from the Deferred Fund Capital Association, which met at the Chamber of Commerce yesterday afternoon. The sentiment of the meeting was decidedly in favor of joining with the gentlemen who had been sent to confer with the Citizens' Association, and a committee of conference, on motion, was appointed, which consisted of George W. Carleton, Lewis J. Phillips and Griffith Rowe.

A resolution was then offered and adopted to the effect that this association appoint a committee to draw up a petition to the Legislature to give the Mayor and Common Council of this city the authority to designate and lay out such routes for rapid transit, by steam or otherwise, as they may deem fit.

On this committee the chairman appointed Messrs. Charles F. Livermore, Jonathan Edgar, Aaron Raymond, Robert Schell and Shepherd Knapp.

The committee then retired, and in a private session decided upon the following petition, which will be presented to the Legislature:—

TO THE LEGISLATURE OF THE STATE OF NEW YORK:—

We, the undersigned, residents of the city of New York, respectfully petition that your honorable body will pass such a law as will give the Mayor and Common Council of this city, the authority to designate and lay out suitable routes in this city for rapid transit, by steam or otherwise, and power to make such rules and regulations for constructing and operating the same as they may deem fit and best.

A motion was then made that a committee of three be appointed to visit Albany and keep an eye on the proceedings before the legislative committees having any bearing on the subject of rapid transit.

On this committee were appointed Messrs. J. Mansfield Davies, Robert B. Roosevelt and Robert Zborowski.

The meeting then adjourned, subject to the call of the president.

## THE FILTHY STREETS.

THE SNOW, THE SLUSH AND THE MUD.

Unstable as water—which, in its various forms of rain, snow, hail and sleet, it brings us so much of—the recent weather has nevertheless excelled in all that is disagreeable, both in itself and its concomitants. One of those weather-wise people who base their calculations on no known law, who know nothing of areas of high and low barometer and never record an observation, during the latter part of February predicted that if it stormed on the 1st of March it would do so on every other day through the month. Where the inspiration comes from who knoweth? Let us trust the prescience was limited in supply, not sufficient to last through the month, for it has thus far proved an entire success, and as the result of the fulfilment of the prophecy, New York yesterday lay imbedded in a vast sea of slush.

Without a mark, without a bound
It runneth the city's region round.

After a short struggle the sun came out gloriously in the morning, and the immense volume of snow which had fallen the day previously and which, owing to the high temperature, was of the soft compact kind, began to thaw and Broadway even became a vast canal filled with water, snow and dirt, through which the vehicles rolled along, the horses splashing the horrid compound right and left, spoiling or at least dreadfully soiling the garments of the unwary passer-by and exciting expletives only commendable for their emphasis. The usual compliance with the city ordinance requiring occupants of buildings to keep their sidewalks cleared, enabled the pedestrian to make his way well enough, save for the street crossings, where oftentimes the slush was so deep that rubbers and arctics were no sufficient protection, and they could only be passed under penalty of wet feet. A small torrent of water rushed along the gutters during the entire day, sometimes becoming dammed up and so turning its course to the middle of the street, making the passage still more difficult and disagreeable. Gangs of men were put on in the course of the day to throw the snow into heaps to be carted off during the night, and by the time the sun went down the great thoroughfare was partially cleared.

Some of the side and more remote streets, notably those along the river front, were in a far worse condition than the one described. Washington and Greenwich streets, two of the more frequented commercial highways, were almost impassable from the depth of snow and slush, while West and South streets presented a scene of indescribable filth. In Thompson and Wooster streets the snow had been thrown up on each side of the railroad tracks to such height that no attempt was made to pass through them with vehicles save in the wake of the cars, and large numbers of the more narrow streets were in the same condition. Fulton, Dey, Cortlandt and other streets where they intersect with Broadway, were filled with slush and mud, in many places to the depth of more than a foot. Several foot passengers hurrying through it stumbled and fell into the mass to rise completely covered with the liquid filth amid the good-natured laughter of the spectators. The amount of snow which has fallen and now lies scattered over the city's surface is very large, and while the warm weather and the efforts of the Street Cleaning Department will soon render clear the more prominent thoroughfares, some weeks must necessarily intervene before we are freed from the nuisance.

## POLICE DISCIPLINE.

SUPERINTENDENT WALLING'S TRIAL.

Daniel Hawry, one of the Adams Express robbers, yesterday gave his testimony against Superintendent Walling as to illegal imprisonment. The object of taking it in this manner is that Hawry will be sentenced on Wednesday, and his testimony would then be worthless. It embraces the bare fact of his original arrest and confinement.

TRIAL OF CAPTAIN KILLALEA.

The Court convened at half-past three o'clock yesterday. There was present the full Board of Police Commissioners. Captain Killalea was defended by Charles W. Brooke and John R. Fellows as counsel. He was present also.

Mr. Brooke moved to dismiss the charges, on the ground that they had been tried before. This President Matsell denied and the counsel took an exception.

The first witness called was ex-Sergeant Augustus Miller, of the Twenty-second precinct, who proved to be the main witness against the Captain, and whose testimony was sought to be impeached by the defence.

Ex-Sergeant Augustus Miller testified that he gave Captain Killalea checks and money on several occasions which he received from Mr. Kaseang for that purpose; on each occasion the checks were of $50 and the money the same; he had also received money from other persons, among them Charles W. Edgar, $75, which he paid over to Captain Killalea.

Counsel objected, as they had received no notice of any matter concerning others than the Kaselangs. It was struck out.

Witness continued—That on April 21, 1871, he had received the first $50, and on January 15, 1872, he received a check of $50 from Mr. Kaselang signed Mrs. Kaselang, which he paid to the Captain; at about eleven the Captain came to me and asked me if Kaselang had seen me—in other words, had given me any money; I said no; he then gave me orders to close the bar, as the Excise law was in force; I told Mr. Kaselang that he must close his bar, and shortly after he gave me $50 to hand over to the Captain, and the bar remained open until morning; the checks were each time $50, and were on the West Side Bank to bearer; at one time, when I was away a week, my closet was broken open and papers stolen, so that I am not positive of dates; I cannot say positively the dates; the first payment I am sure was in money; when Mr. Kaselang handed me the money he said nothing, but it was understood I should give it to Captain Killalea; I got no portion of any of the money at any of the various times; it was none of my business to inquire what was to become of the money; I acted under superior orders in allowing the man to keep the place open; I never told these facts before; I was dismissed from the police force.

Counsel—Do you know one Malone.

Witness—I object to answering.

Commissioner Voorhis—This is not the trial of Mr. Miller, but that of Captain Killalea.

The counsel contended they in ended to impeach the character of the witness, so as to show that he was not worthy of credibility.

President Matsell—If the witness does not choose to answer we cannot compel him.

A lengthy discussion here ensued as to the character of the witness, the defence endeavoring to show that he was a bad character, which they did not succeed in showing.

Witness—I saw one of these checks in Officer Gaffney's hands which I recognized as the same I received from Kaselang.